

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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CESSNA 172N ACCIDENT NEAR
BROOMFIELD, COLORADO
ON JULY 30, 2022

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Accident No.: CEN22LA362

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Interview of: GREG BOOM, Owner
Rocky Mountain Flight School

Rocky Mountain Flight School
Broomfield, CO

APPEARANCES:

MITCHELL GALLO, Air Safety Investigator
National Transportation Safety Board

HAROLD ROBERTSON, Avionics Inspector
Federal Aviation Administration

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I N T E R V I E W

MR. GALLO: This is an interview with Greg Boom pertaining to Accident Number CEN22LA362, Cessna November 6587 Echo. Mr. Boom, do we have your permission to record the conversation?

MR. BOOM: Yes, you do.

INTERVIEW OF GREG BOOM

BY MR. GALLO:

Q. Okay, can you describe your aviation background and experience?

A. I'm an A&P, IA, and I've been working on airplanes since 1988 and started my maintenance job in 1999. And then, I'm a private pilot, instrument, commercial, multi-engine, CFI, MEI, double I, and have almost 5,000 hours of flight time and probably 2300 hours of dual given, and started the flight school in 2008 and -- that's it.

Q. Are you still an active pilot? You maintain --

A. Yes. Yeah, I probably average about close -- around 200 hours a year plus.

Q. Okay. And what's your position at Rocky Mountain Flight School?

A. Owner.

Q. Okay. We talked to Alec Vandeweerd and he mentioned that, you know, he rented November 6587 Echo. I think that was on July 29th. But he tried to rent an earlier 172 that he said there was like a starter issue and he described the airplane as magenta

1 and white and we're trying to determine what N number that was.

2 Do you know anything about that?

3 A. I have no idea. I'm not even sure who that is. I got so
4 many renters over there, I don't know their names.

5 Q. Okay. So then --

6 A. We could look at the maintenance stuff and try to figure out
7 what airplane we did a starter on.

8 Q. Okay. So Alec Vandeweerd then said he rented 6587 Echo
9 because the first airplane had a starter issue, from what he
10 believed. But then he had an issue with 6587 Echo, that it wasn't
11 developing enough power on takeoff. Do you recall anything about
12 that?

13 A. No. What date was that?

14 Q. That was on the 29th, the flight right before the accident
15 flight with Rody Elder.

16 A. So I think the accident was on Saturday.

17 Q. On the 30th.

18 A. So this was on Friday?

19 Q. Yes.

20 A. So did he fly in the morning or in the afternoon or --

21 MR. GALLO: It was about 9:00 a.m., is that correct, on the
22 29th, Friday?

23 MR. ROBERTSON: No. Rody flew and then Ames (ph.). On
24 Saturday morning, Alec flew, I think, four -- right around 4
25 o'clock, 3:30, 4 o'clock, somewhere in there.

1 MR. BOOM: If it's at the end of the day, I mean, we shut
2 down at 5 o'clock, if I didn't hear about it or know about it, I
3 wouldn't.

4 BY MR. GALLO:

5 Q. Do you know if there were any squawks written up for 6587
6 Echo before its accident flight with Rody Elder?

7 A. I don't think so, but the squawk, you've got the squawk book.

8 MR. ROBERTSON: Right. So we couldn't find anything.

9 MR. BOOM: Okay, then.

10 MR. ROBERTSON: Yeah, we couldn't find anything in the
11 logbook, in the logbook or the aircraft binder, the squawk sheet
12 binder.

13 MR. BOOM: Yeah. And there's nothing that I know of.

14 BY MR. GALLO:

15 Q. Okay. Do you have a chief flight instructor?

16 A. Yeah, Chris Murtaugh.

17 Q. Are there any flight school limitations put in place,
18 policies and procedures put in place for the way -- for example,
19 for student solo flights, is there --

20 A. Yeah.

21 Q. -- a wind limitation?

22 A. Yeah, and I don't know all the details, but we had set this
23 up when I started flight school. Like, for example, you know,
24 student pilots will have certain wind limitations, even private
25 pilots will have certain wind limitations, instructors would leave

1 it up to their discretion depending on the experience level. And
2 then we've got rules and regulations for all that.

3 Q. And is that in writing, then?

4 A. Uh-huh. Part of it's the renter's policy when we -- you
5 know, our procedures and stuff, whenever they come to the flight
6 school and sign up as a renter pilot or a student pilot or
7 whatever, there's the rules and regulations for the package.

8 Q. Are there -- well, let me talk about the STC change for the
9 172s that you're putting in place so that it limits the flap
10 extension from 40 to 30.

11 A. Yeah.

12 Q. Why are you doing that?

13 A. Okay. The reason I did that was because another plane had 40
14 degrees of flaps and they had a flap switch fail and so, you know,
15 they were limited as far as options, I would say, you know,
16 because you've got 40 degrees of flaps. So what I decided to do
17 is I purchased STCs, I think it's from Power Flow and -- for all
18 the N model airplanes to limit to 30 degrees of flaps and I had
19 done all of them except for two, Bravo Juliet and this one.

20 This one I was going to do when it came in for the hundred
21 hour and 10 hours, and Bravo Juliet I just finished at the
22 beginning of the week because it was due for a hundred hours, so I
23 did it and complied, you know, did that STC. So all of them now
24 are limited to 30 degrees of flaps. And it ups the flow by a
25 hundred pounds.

1 Q. Okay. And again, what was the reason for reducing that flap
2 max extension?

3 A. I didn't want people to have 40 degrees of flaps, it seems
4 like more people have issues with it or have problems and so I
5 wanted to limit the possibility of exposure of having problems
6 with 40 degrees of flaps. All the P models, all the new R's and
7 S's are all limited to 30 degrees.

8 Q. And did you or anyone in the flight school issue a policy to
9 the instructors and/or renters not to use 40 degrees of flaps?

10 A. No, because other planes have 40 degrees, for example, the
11 182s, they've got 40 degrees of flaps, but they're -- I'm not
12 going to change those and I don't believe there's a way to change
13 those, no STC. But with the training planes, with the 172s, doing
14 all the training and stuff like that, I wanted to limit it so
15 people, you know, had a better chance to go around, it's a better
16 chance of, you know, operating the airplane and not having issues.

17 Q. Is anybody at the flight school, for example, like the chief
18 flight instructor or the head flight instructor, reevaluating your
19 instructors on how they're teaching and/or decision making?

20 A. Yeah, we have -- we have usually quarterly instructors'
21 meetings for CFIs and then it's not like we go and take each CFI
22 and like every month go fly with them, you know what I'm saying,
23 we don't sit there and test them, retest them. But if we see
24 something that's not safe, you know, like another instructor says
25 hey, we saw this guy taxi out too fast, okay, then we'll bring him

1 inside, step inside and, you know, discuss what the problem is or
2 what potential, you know, issues or things like that. So we all
3 kind of watch each other as, like a family, as far as, you know,
4 making sure the planes are operating safely and people are
5 operating the planes safely.

6 Q. And so one of the concerns I have is once a flight instructor
7 leaves your counter with the airplane, or even a renter pilot, how
8 do you know the decisions they're making are good?

9 A. One is everybody's required to do blind fly reviews. Every
10 90 days, if they haven't flown, then they have to fly with one of
11 the instructors. If they fly good and everything's -- they check
12 out and they fly efficiently and everything, that's fine. If they
13 don't, then they'll need more time, you know, with the flight
14 instructor before they'll be allowed to rent the plane and go
15 solo. Of course, each pilot determines if the airplane is
16 airworthy, that they're capable to fly and everything like that.

17 So there's other things, that we're making sure people are
18 legal and things like that. But we don't have like a camera in
19 every airplane that says hey, this guy was operating this way. We
20 have ADSB, which helps us to know this person was flying this
21 airplane low or this person was flying, you know, in an unusual
22 area or something like that, so we can track where the airplane
23 was and things like that.

24 Q. Okay, let me --

25 A. So we use different tools.

1 Q. And I'm sorry, I want to go back because I just remembered
2 something else that I forgot to follow up and we'll come back to
3 this, but you mentioned you had regularly scheduled quarter,
4 quarter meetings with your instructors.

5 A. The CFIs.

6 Q. Do you necessarily call those safety meetings? Is there an
7 official title or you have a generic name that you use?

8 A. We use it as -- we call it a CFI meeting, but when we get
9 there, we talk about noise abatement stuff, procedures in
10 airplanes. Usually like, for example, if we're going into winter,
11 winter operations. You know, if we're going into spring, you
12 know, hey, look for birds' nests, things like that where potential
13 problems -- remind people that this is, you know, going on.

14 Summer, density, altitude, and just kind of review and then
15 the instructors will put their input in, hey, I've noticed this,
16 you know, maybe we should change this procedure or, you know,
17 bounce things back and forth as far as information.

18 Q. Do you recall if Rody Elder attended the last one or any of
19 them?

20 A. I wouldn't remember because I do classes every month on
21 systems and I teach and it's open for free and I do a systems
22 class on charging systems, flight controls, everything, any props,
23 any engines, magnetos, I've done all of them. And so there's 20,
24 25 people that show up at these classes and I don't remember.

25 Q. So it's not necessarily limited to --

1 A. No.

2 Q. -- your flight instructors?

3 A. Yeah, anybody can come.

4 Q. Are you part of the FAASTeam?

5 A. No. I know what it is. I'm a CFI and stuff like that, so I
6 know the system and I know stuff, but I'm not -- I'm not like
7 registered with it.

8 A. Do you conduct IA renewals at all?

9 A. Um-hum. Well, I do my renewal. I don't --

10 Q. But you're not teaching IA --

11 A. No.

12 Q. -- or anything else? Okay. And so going back to the
13 previous questions about decision making, so you're unaware of a
14 report of 6587 Echo not being able to produce enough power because
15 that airplane was flown by Alec Vandeweerd right before the
16 accident flight.

17 A. Okay, yeah, I don't even know who he is.

18 Q. So going to the rental pilots, do you recall if you've ever
19 had to recheck a renter pilot because of -- you heard of something
20 unsafe?

21 A. Um-hum.

22 Q. And do you recall how often and what the most recent
23 occurrence was?

24 A. It depends on the situation and it depends on what happened,
25 maybe it's sitting down and talking to that person, explain the

1 system or explain -- you know, and finding out what happened, what
2 went wrong. Maybe it's having them fly with another instructor,
3 maybe it's, you know, X amount of time, recheck out in the
4 aircraft. It just varies depending on what -- what happened or
5 what it is.

6 Q. Okay. And I'm going to run you through a scenario which is
7 kind of relevant to this and you're an instructor. So during your
8 takeoff roll, how do you know how much power is being developed by
9 the engine?

10 A. Okay, so if you're talking a fixed-pitch prop, which I'm
11 guessing, versus a constant-speed prop, so on a fixed-pitch prop
12 airplane, 172, Weir Archer, something like that, you're going to
13 go full throttle. Basically, you're going to get about 22 to
14 close to 2300 RPMs static on the ground. As you take the runway,
15 you get 22, 2300. As you roll down that runway, you get up closer
16 to 24. As you get right close to liftoff, you're going to be
17 close to 24, 2500 RPM roughly, right in that area. Cruise prop
18 versus climb prop, variables, you know, stuff like that.

19 Once you climb out, level the airplane, trim it all up, set
20 everything, then on a fixed-pitch prop you can get basically to
21 that 2700. It'll be, you know, right close to there as far as in
22 cruise, airplane trimmed, everything good. Then the engine's
23 producing, you know, the kind of power it's supposed to. But it's
24 not going to produce 2700 RPM on the runway on takeoff with the
25 fixed-pitch prop.

1 Q. So the next question is how do you know it's producing that
2 value, 26, 2700 RPM?

3 A. The tach.

4 Q. And you look at that during takeoff roll?

5 A. Yeah.

6 Q. And it's part of your scan?

7 A. Yeah.

8 Q. Okay. So going back to Alec Vandeweerd, 6587 Echo, on the
9 day before the accident, he said the airplane wasn't -- was
10 producing reduced power and I asked him how do you know that, he
11 goes, well, I could feel it. I said well, what was the tachometer
12 indicating, he said he didn't know because he doesn't look at any
13 tachometer on any airplane during the takeoff roll.

14 A. Well, there's a person that needs to have some instruction.

15 Q. So that's an aspect of technique and he received his airplane
16 checkout by Rody Elder, as a renter.

17 A. Okay.

18 Q. From what he told me. So what happened was he continued the
19 takeoff, but what he perceived was reduced power based on his feel
20 of the airplane. And he climbed, I think, to 200 AGL and couldn't
21 really get a good climb rate and decided to land on the remaining
22 runway.

23 A. So what was the configuration of the airplane?

24 Q. It was clean.

25 A. Okay, so was there one person, two people, three people, full

1 tanks?

2 Q. It was three people, I don't know, I think it was 97 pounds
3 under gross.

4 A. So hot day, 97 pounds under gross, three people onboard,
5 probably full of fuel, so I'm surprised he did as good as he did,
6 then.

7 Q. But that's not the end of the story. He decides to go on a
8 ramp and do another run-up to attempt a second takeoff.

9 A. Okay.

10 Q. Don't you think there's an aspect of decision making?

11 A. Yeah.

12 Q. All right. So how do you find that out if -- I mean,
13 somebody has to know what happened with this airplane when he
14 returned it.

15 A. Right. And so what we've been finding is -- I mean, if he
16 wrote up a squawk sheet, I haven't seen it, I didn't see anything.
17 If it's after hours, they usually will attach it to the clipboard
18 and it gets turned in to the box and then we get it in the morning
19 and see it. If the airplane has an early dispatch, like let's say
20 6:00 a.m., well then, the squawk sheet will be on the clipboard
21 and the person, you know, trying to get the plane said oh, there's
22 a problem, so they don't take the plane.

23 So you know, if I don't, you know, saw -- see anything as far
24 as a squawk sheet and I don't know what to check, but what's been
25 happening lately is if the tower has an issue and an airplane

1 aborts the takeoff or does something like that, then they'll
2 contact us. Then it will be like, you know, what happened this
3 day, what happened with this airplane, something like that. So
4 then if there is any other issues with that, then there's a
5 backup, as far as the FAA is concerned, with the tower reports.

6 Q. So then there's more to this story. We talked a little bit
7 about carburetor icing with Alec Vandeweerd and that -- because he
8 mentioned -- he said density altitude wasn't an issue, that's what
9 he told me.

10 A. Well, what was the temp?

11 Q. Well, let me -- I have to take it -- I didn't go back, but
12 for the discussion, that's what he told us, density altitude and
13 the aircraft should've performed by the numbers. But I said what
14 about carburetor icing, he said it wasn't an issue because the
15 temperature was 70 degrees or 74 degrees, around that, and his
16 airspeed was low on takeoff. So his argument was carburetor icing
17 was dependent on the outside air temperature and the speed of the
18 airplane. And do you know what carburetor icing is dependent on?

19 A. It's humidity and density of the air.

20 Q. So then we went and we kind of put together what happened
21 during Rody Elder's accident flight, about a go-around using 40
22 degrees of flaps and he didn't -- and Alec Vandeweerd didn't
23 recall how many flaps he used during the checkout with another
24 airplane with Rody Elder. But I asked him, did you ever do a
25 go-around during your checkout with Rody Elder, and Alec

1 Vandeweerd said no, we never did a go-around. So are there a set
2 of maneuvers that these flight instructors should be performing
3 and you have that in writing somewhere?

4 A. We have a checkout sheet with all the information and they
5 have to fill it out with the systems on the airplane and the
6 speeds of the airplane and all the different things in, you know,
7 the configurations of the airplane. I always encourage all the
8 instructors to do go-arounds and stuff like that, no-flap landings
9 and things like that. I'd have to look and see, I don't think
10 there's anything written down in policies that you have to do
11 that. Most of the time when people do a checkout, they find out
12 what their previous experience is and where they're at and that
13 they're safe in the aircraft.

14 Q. Okay. So then we go back to the issue of a squawk sheet,
15 Alec Vandeweerd said he filled out a squawk sheet. But in looking
16 at your squawk sheet, if that's -- we can't find a squawk sheet,
17 but I know they're not sequentially numbered.

18 A. No. They're a regular piece of paper because they're just a
19 piece of paper until they're filled out.

20 Q. Okay.

21 A. I mean they're nothing, there's -- because if you have one
22 that some guy writes something and goes oh, never mind, well, now
23 we got missing numbered sheets. So they become a squawk sheet, a
24 regular piece of paper, when people start filling them out, you
25 know.

1 Q. But don't you think if you had a sequentially numbered sheet
2 with copies, that way you could -- and even if you make a mistake,
3 you could write void on it, but you could -- you could track that
4 one is not missing because a concern is somebody wrote something
5 up and they put that squawk sheet and it got lost somewhere, that
6 information isn't carried through, through the system.

7 A. So you know why, is because, for example, a squawk sheet,
8 once it's filled out and signed off, then it's part of the
9 records. Okay, let's just say, for example, they skidded a tire,
10 the right main tire's got cords showing, so I'm going to replace
11 the right main tire. So they got a squawk sheet on it, the right
12 tire has cords showing. I bring the plane over, I fix the tire, I
13 will go ahead and change a brake pad because it looks a little
14 thin, and then I take the aircraft logbooks and I fill it out.

15 I don't have to fill out the squawk sheet, I can throw it
16 away. It's no longer -- no good, it doesn't matter anymore, I've
17 already documented it in the aircraft logs. So I'm using squawk
18 sheets and the aircraft logs. If I make an entry in the aircraft
19 log, the squawk sheet is gone. If I make an entry in the squawk
20 sheet, it stays with the aircraft logs.

21 Q. Okay. And then when we talked to Rody Elder -- again, this
22 is based on what they're telling us -- he said he wasn't aware
23 that there was a previous loss of power in 6587 Echo, which was
24 Alec Vandeweerd's flight, because he didn't see a squawk sheet.

25 A. I don't know what -- if he wrote one up, I don't know where

1 it's at and if it wasn't with the clipboard, then we wouldn't have
2 gotten it, you know, we wouldn't have seen it or been able to get
3 it because people always put it with the clipboards if it's
4 dispatched after hours or returns after hours. And then if it's
5 during the normal day, like let's say it's a flight at 9 o'clock
6 in the morning and they come back and they said hey, the landing
7 light's in-op, well, then they've got it right at the counter
8 desk, we've got a file, it goes in there, they tell me, and then I
9 coordinate in getting the landing light fixed.

10 Q. Okay.

11 A. I don't know where -- what did he do with the squawk sheet?

12 Q. So you have Alec VandeWeerd, he comes back and returns this
13 airplane that he tried to take off, but who would've he told the
14 issue to, that, you know, his perception was of the reduced power?
15 Wasn't there anybody that would follow up and say what happened,
16 oh, and you're taking off without looking at the tachometer and
17 you're trying an initial attempt and a second attempt?

18 Somebody --

19 A. But if it was after 5 o'clock, we're closed.

20 MR. GALLO: What time was that, four --

21 MR. ROBERTSON: Yeah, it was -- it was in at 4 o'clock, the 4
22 o'clock hour, it was before 5:00. The desk was still open.

23 MR. BOOM: I don't know, maybe they were cleaning stuff up,
24 locking doors or something. I don't know.

25 BY MR. GALLO:

1 Q. After the accident, what did Rody Elder tell you that
2 happened?

3 A. Boy, this is -- he called me on the phone, I think he texted
4 me first and then he called me on the phone and said that they --
5 they went off the runway with 87 Echo and I said okay and I said
6 is, you know, everybody okay, is the plane okay and they said --
7 he said no, the plane's wrecked bad. And I said well -- he said
8 like the gear's broken and stuff like that, I went oh. I said
9 send me pictures.

10 And so he then sent me pictures of the airplane and then I
11 told him, well, you know, if they release it, then we can get it
12 moved away from the runway and I think they released it and then
13 there was another guy up there that I knew moved it away from the
14 runway so they could operate the airport.

15 Q. And after that accident, did Rody Elder have additional
16 instructional flights he was giving?

17 A. He was gone, he left out of town for a week or something and
18 went to Oregon or Washington and then when he came back -- I
19 talked to him before he left and I don't know if he flew between
20 that accident and the time he left out of town, I'm not sure. And
21 I talked to him, asked him what happened and asked him some
22 questions, and then he went out of town for a week and then came
23 back and then I think he was doing some flights, but I'm not sure.

24 Q. Do you know if anybody flew with him after the accident,
25 within the company?

1 A. I don't know.

2 Q. And did you recover the airplane after the accident?

3 A. Yes, and it's in the hangar, it's in the storage hangar. It
4 was at Longmont.

5 Q. Do you recall what date you recovered the airplane? The
6 accident was on the 30th, which was what, Friday?

7 MR. ROBERTSON: Saturday.

8 MR. GALLO: Saturday.

9 MR. BOOM: It's either 1 or 2 weeks later on a weekend --

10 MR. GALLO: Okay.

11 MR. BOOM: -- because I wanted to make sure it was out of
12 there and if the weather was going to change or something.

13 BY MR. GALLO:

14 Q. And you removed the wings on the airplane?

15 A. Yes.

16 Q. Did you do anything else to the airplane?

17 A. No.

18 Q. Did you open the engine collar at all?

19 A. No.

20 Q. Did you remove or change any components on the airplane?

21 A. No.

22 MR. GALLO: That's all the questions I have, I'll turn it
23 over to Harold Robertson.

24 BY MR. ROBERTSON:

25 Q. Okay. You mentioned new renters and new CFIs, they get -- do

1 they get copies of the rules, regulations, and policies?

2 A. Um-hum. Yes. They have to sign them.

3 Q. Okay. Can we get a copy of that?

4 A. Um-hum. The flight school has them, you can swing by and
5 grab a set.

6 Q. Okay. And will the records be kept for, say, for instance,
7 if Rody signed?

8 A. Yeah. They'll have a file for him and he'll have the
9 checkout sheets for the airplanes and his information for all the
10 stuff and every student, customer, renter, everybody has their own
11 file.

12 Q. Okay. Okay. Okay, so we talked a little bit about the
13 squawk sheet and when that becomes part of the aircraft record and
14 when it doesn't.

15 A. Um-hum.

16 Q. Now, if a squawk sheet is generated after hours, you say that
17 that's attached to the clipboard?

18 A. Right, we dispatch the aircraft with a clipboard, checkout
19 sheet, it's got the like checkout list and, you know, procedure
20 list and then keys and stuff like that, and so if there's a
21 problem, they can write it up and then put it with the clipboard.

22 Q. Okay.

23 A. And then the clipboard gets into a black box that's out front
24 with a combo lock.

25 Q. Okay, so when the -- when the facility, when the flight

1 school is open, who's at the desk?

2 A. Either Kat, Charlie, or Courtney.

3 Q. So do they rotate duties?

4 A. Um-hum.

5 Q. Okay. So if a pilot brings it in and says okay, there's an
6 issue, I got a low tire --

7 A. Landing and landing off.

8 Q. Whatever.

9 A. Yeah.

10 Q. And fills out a squawk sheet, what happens to that?

11 A. So what they'll do is there's three ways that they usually
12 get it to me, they'll text it to me, they'll call me on the phone
13 or they'll walk it over. If I'm over there, you know, I'm right
14 there, they'll hand it to me, so -- and then I'll get it and it's
15 like okay, well, the plane's going to go fly here, it's got a
16 burnt-out landing light, we don't need it, stay VFR. So what
17 we'll do is when it comes back, we'll go ahead and schedule it
18 right here and we'll replace the landing light.

19 Q. Okay. And what kind of training does, say, Courtney or --
20 well, anybody that works there, that, you know, this is an
21 aircraft discrepancy?

22 A. They all know what the squawk sheets are. Charlie's a pilot.

23 Q. Okay.

24 A. Courtney's working on some pilot stuff as a student. Kat is
25 not a student pilot but she knows, you know, the squawk sheets,

1 the procedures.

2 Q. So everybody's aware of what happens with these?

3 A. Um-hum.

4 Q. They know what's supposed to happen when somebody turns one
5 in?

6 A. Um-hum.

7 Q. Okay. Okay, so we can also get a copy of the renter's
8 policy?

9 A. Um-hum.

10 Q. Okay, all right. Okay, so when -- it says supposed accident
11 on 87 Echo, Rody checks secured, he called you then, you had a
12 conversation with him.

13 A. I think he texted me first.

14 Q. Okay.

15 A. And I can tell you -- I don't know if I have it under his
16 name or his phone number. I think he texted me first and then I
17 think he called me second.

18 Q. Okay. Okay, so he communicated this to you and then,
19 obviously, you know, he made his way back. Did you guys debrief
20 him on --

21 A. No, Saturday I was -- a matter a fact, let's see, I've got to
22 remember, Saturday, I think I was in town, so I was here but I
23 only talked to him briefly after he, you know, damaged the
24 airplane.

25 Q. Okay, so was there any conversations you had with him about

1 what happened or --

2 A. Yeah. I talked to him, oh, maybe a day or two later, like
3 maybe on a Tuesday or something.

4 Q. Okay.

5 A. Because I think he went out of town on -- for a week. I
6 don't remember which day.

7 Q. Okay.

8 A. So I asked him, I had him come in and I asked him what
9 happened, you know, explain to me what happened and he told me
10 what had happened, what he was doing.

11 Q. Okay. And who -- was it just you and him?

12 A. No, Charlie was there.

13 Q. Okay, Charlie was there, all right. Okay. So what was the
14 outcome of the discussion?

15 A. Like you said, kind of like a debrief, figuring out what
16 happened, what was going on. I wanted to hear what his side of
17 the story was as far as, you know -- because I hadn't seen the
18 plane yet, I didn't know what all was going on, I hadn't -- I'd
19 only seen a few pictures of it and so he explained to me what
20 happened.

21 Q. What did he tell you?

22 A. Basically, he told me like this is the runway and him and his
23 student had done like four touch-and-go's or something in their
24 run, they're either the fourth one or fifth one and they're coming
25 down, they had full flaps, they were doing short field landings

1 and they were drifting over to the right side of the runway and so
2 they thought they might, you know, touch down too far on the
3 right-hand side, so they decided to go around, they, I think,
4 added power and then they started -- I think kind of started to
5 climb a little bit and then they started taking flaps off and --
6 and then he said he -- I think they ended up hitting the right
7 wheel on the left-hand side of the runway and then coming up, I
8 think, hit the left wheel in the dirt, I think it broke that wheel
9 and I think they hit the right wing on the runway and the wheel
10 and then they came around and it hit and it broke the nose gear
11 and kind of slid to a stop.

12 Q. Okay.

13 A. And I asked him, I said well, did you -- I think they had
14 gotten all the flaps up by that time, because my understanding was
15 the flaps were up, you know, all the way and the pictures that he
16 sent me of the airplane, the flaps were up.

17 Q. Okay.

18 A. One's broken, but the flaps were up.

19 Q. Okay. So did he -- you guys talked about what -- what caused
20 it or --

21 A. So you know, he said he was bleeding the flaps off, I said
22 because -- you know, I said well, if you -- if you're bleeding the
23 flaps off, then you have to slowly bring them up, otherwise you'll
24 sink. And I asked him, I said well, a couple things, if you were
25 on the -- over the runway, you know, would it have been possible

1 to set down on the runway and not try to climb out around.

2 Q. Just land it.

3 A. And just land it, even if you went off the runway. And then
4 I said, I asked him this, I said let me ask you this question and
5 I said if you had done four, five landings on this airplane and it
6 was doing what it was supposed to do or you thought it was safe
7 enough to fly, otherwise you would've landed and stopped the
8 flight. Okay, so you guys were off the edge of the runway and
9 then you ended up going around and things didn't go quite right.

10 I said do you think that airplane was not producing power to
11 where you would have, if you had done a normal landing on center
12 line and you put the flaps on normal, whatever you were doing
13 before, however you were configuring and you were taking off, that
14 you would've had to put it in the field right out there.

15 I said do you think that engine was not producing enough
16 power that you would've had to put it in the field, if you did the
17 exact same landings that you had done before and he wouldn't
18 answer me and I said yes or no, that's all I'm asking is yes or
19 no. Would you have made it back around if it was a normal center-
20 line landing with normal flaps and bringing it up and he wasn't --
21 he wouldn't answer me, so I said okay.

22 Q. And then what?

23 A. So then I basically said okay, well, you think about this and
24 all of what happened, you tell me what your decisions are as far
25 as what you're thinking and then when you come back from vacation

1 and we can sit down and talk and we never really did, we never
2 really talked.

3 Q. So that was the last little conversation about this that you
4 had?

5 A. Um-hum.

6 MR. ROBERTSON: Okay. I don't have any other questions right
7 now.

8 BY MR. GALLO:

9 Q. Yeah, going back to the configuration of 6587 Echo, when you
10 got there, you said the flaps were fully retracted. So I briefly
11 went through the Cessna 172N manual and I think, for balked
12 landing, it's supposed to be 20 degrees of flaps. So evidently it
13 wasn't 20 degrees of flaps. And short field, I think, is 10
14 degrees in that airplane.

15 A. Maybe. Probably short fields, full flaps, but maybe soft
16 field --

17 Q. But for takeoff.

18 A. Oh, for takeoff, yeah, 10 degrees max.

19 Q. And a balked landing is 20 degrees, okay.

20 A. Yeah. Yeah, so if they took it to maybe 10, it might've --
21 let me see if I can -- you guys don't have his phone number, do
22 you? Rody's phone number?

23 Q. Yeah, I have his phone number.

24 A. I could punch it in. I know I've got it here, I just don't
25 have it -- I don't think I put it under his name.

1 Q. Yeah, I don't want to call him now, this is our interview.

2 A. Yeah, your -- yeah.

3 MR. GALLO: That's all the questions I have. Harold, do you
4 have any more?

5 MR. ROBERTSON: No, I don't think so.

6 MR. GALLO: Greg, do you have anything you want to address
7 that we haven't covered?

8 MR. BOOM: I did, just for the heck of it, I did, I looked at
9 it for curiosity and I looked at the ADSB and the flight path with
10 the ADSB and stuff like that, and what I did is this is his flight
11 and I did the touch-and-go prior and with the speeds, descent rate
12 and everything and then touchdown and then accelerate, and then I
13 did the one where he wrecked the airplane and I saw where there
14 was like, you know, basically the same -- you know, like this got
15 really slow here and stuff like this, but it looked like it was
16 starting to climb out, you know, according to the ADSB and then,
17 of course, it got -- it wrecked. But he was really slow as far as
18 speed.

19 And then what I did is I've got another 172 that's 06 Echo,
20 which is same engine, N model with 320-H2AD, and I kind of
21 followed it and I looked at it for configuration as far as
22 airspeeds and stuff like that and, you know, got a feeling for
23 where it was and it looks very similar, to me, as far as speeds
24 and numbers. Obviously subtle differences, you know, as far as --
25 and I don't know what flap configuration they had, but you can

1 have that, I just -- the ADSB stuff shows kind of what was going
2 on as far as all the different landings and how the plane was
3 performing and speeds and climb rates and stuff like that.

4 BY MR. ROBERTSON:

5 Q. Okay, so what are the numbers here? We're looking at number
6 1, number 2, number 3. So is this --

7 A. And what we did is we picked -- at Longmont, we picked spots
8 on the runway. This is landing 2-9 spot, here a spot, here a
9 spot, here a spot, here and spot here, just to kind of get a feel.
10 I mean, you can obviously go click by click, but we just wanted to
11 get a general idea of what the speeds and what the --

12 Q. Okay, so the first number is airspeed?

13 A. Yeah, and then the second is feet per minute in
14 climb/descent.

15 Q. Okay.

16 A. But that's all on the ADSB stuff.

17 Q. Right.

18 A. Their whole flight.

19 Q. Is this something -- well, obviously you can get this, I
20 think there's a website you can get this at.

21 A. Yeah.

22 Q. All right.

23 A. And so about -- it was 2 hours prior, this is at 1500, this
24 is at 12, about 2 hours prior, this plane, the same engine, the
25 same model, same everything, and it did a landing and it's fairly

1 comparable as far as the speeds and the climb rates and stuff like
2 that.

3 MR. ROBERTSON: Okay, yeah.

4 BY MR. GALLO:

5 Q. I have one follow-up question. Have you done any flight
6 instruction yourself?

7 A. I got about 2400 hours of dual given.

8 Q. So if a student pilot is having a problem maintaining center
9 line, how far do you allow the aircraft to drift laterally before
10 correcting the maneuver?

11 A. I think that's like a personal thing per each flight
12 instructor. I'll let things get a little bit off, maybe slightly
13 more than somebody else might, but I have a lot of instruction
14 time and I have flown a lot of different types of airplanes. So
15 if I start -- I'll start seeing if they'll correct, then I'll say
16 something. If they start correcting, then that's fine. If they
17 don't correct and I see it start getting too far, then I'll start
18 putting input in and correcting and explain what I'm doing.

19 So if I were five feet from the edge of the runway and it
20 looked like we were going to set down normally and just be off
21 center line, I might talk to them and say okay, let's watch this
22 together and, you know, watch the rudder and stuff like that.
23 Then when we come back around, start focusing more on rudder
24 inputs and, you know, control of the airplane and stuff like that.
25 So I think it varies depending on your experience level, I think

1 it varies on -- depending on the student and how well they, you
2 know, take to the input and stuff like that and what kind of
3 airplane you're flying, a Turbo 210 versus a Skyhawk. But I'll
4 let things go, you know, to where I think if there could be a
5 potential safety issue, I don't want to have a problem. I never
6 had damaged a plane doing any flight instructing.

7 MR. GALLO: Do you have anything else, Harold?

8 MR. ROBERTSON: No.

9 MR. GALLO: All right. Well, that concludes the interview,
10 thank you for your time.

11 MR. BOOM: Okay, thank you.

12 MR. ROBERTSON: Thank you.

13 (Whereupon, the interview concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: CESSNA 172N ACCIDENT NEAR
 BROOMFIELD, COLORADO
 ON JULY 30, 2022
 Interview of Greg Boom

ACCIDENT NO.: CEN22LA362

PLACE: Broomfield, CO

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.



David A. Martini
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of: *

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CESSNA 172N ACCIDENT NEAR *

BROOMFIELD, COLORADO *

Accident No.: CEN22LA362

ON JULY 30, 2022 *

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Interview of: RODY ELDER, Flight Instructor
Rocky Mountain Flight School

Rocky Mountain Flight School
Broomfield, CO 80021

APPEARANCES:

MITCHELL GALLO, Air Safety Investigator
National Transportation Safety Board

HAROLD ROBERTSON, Avionics Inspector
Federal Aviation Administration

JOE LoRUSSO, Esq.
Attorney for Rody Elder

I N D E X

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I N T E R V I E W

MR. GALLO: This is an interview with Mr. Rody Elder, pertaining to accident investigation CEN22LA362, Cessna November 6587 Echo, and Mr. Rody, do we have your permission to record this conversation?

MR. ELDER: Yes, sir.

MR. GALLO: And your representative is here. Can you --

MR. LoRUSSO: Yeah, Joe LoRusso with Ramos Law.

L-o-R-u-s-s-o. Ramos Law, R-a-m-o-s Law.

MR. GALLO: All right.

INTERVIEW OF RODY ELDER

BY MR. GALLO:

Q. And Mr. Elder, just to start out with, can you describe your aviation background?

A. My aviation background, so I attended Metropolitan State University, I got a bachelor's degree in air traffic control. During my time, I flight trained Part 61. I have private pilot instrument and commercial ratings. Then I transferred to Purdue University for a master's degree in aviation management. While I was attending Purdue, I obtained my CFI certificate. I moved back to Colorado and got a CF double I, commercial, multi, and NAI rating.

Q. And is Rocky Mountain Flight School your first employment location or employer as a CFI?

A. Yes.

1 Q. Did you have any flight training prior to working at Rocky
2 Mountain Flight School, with Rocky Mountain Flight School?

3 A. Yes, I did my training there.

4 Q. Okay. And what are your impressions of Rocky Mountain Flight
5 School?

6 A. My impressions are that they provide low-cost aircraft for
7 people looking to get trained on, on a cheap budget. Their prices
8 are significantly lower than comparable flight schools in the
9 area.

10 Q. Okay. And can you discuss the -- the make-up of the school,
11 who the managers are, who owns it, and how you interface with
12 those people?

13 A. So, yeah. So Charlie is the manager, Kat is like an
14 assistant manager, and then Greg Boom is the owner. So Greg Boom,
15 as the owner, his son works for him in the maintenance department,
16 as Greg also does the maintenance on the aircraft, and his son is
17 married to Kat. So it's kind of like a family trio with the three
18 of them. And then that's -- and then the CFIs and then Chris
19 Murtaugh would be the chief CFI pilot.

20 Q. And when you started as a CFI at Rocky Mountain Flight
21 School, was there any checkout given by anybody from the flight
22 school prior to you beginning employment?

23 A. Like a flight check?

24 Q. Yeah.

25 A. No, I didn't do a single flight check, I think, because I

1 knew I was already checked out in many of their airplanes, from
2 being a prior student there.

3 Q. So you get hired on and let me just go back, when did you
4 start working as a CFI, approximately, at Rocky Mountain Flight
5 School?

6 A. Maybe a year ago, so --

7 Q. So about a year ago in May. And when you got hired on, did
8 they just give you students and the airplane or was there any
9 discussion of policies or procedures that you should follow?

10 A. Just students and the airplane, they just give me a key to
11 the front door and said here's the wait list, start calling
12 people.

13 Q. So who develops the lesson plans?

14 A. I believe they -- because it's Part 61, they leave it up to
15 the CFIs and the lesson plans you create for their CFI check ride
16 and that sort of thing. It's the lesson plans that you should
17 use, but --

18 Q. And how are you paid over there?

19 A. We are paid hourly.

20 Q. Okay, so there's -- even if you don't have any students, are
21 you still being paid?

22 A. No, sir.

23 Q. So it's based on instruction given at an hourly rate?

24 A. Yes, sir.

25 Q. And what is that?

1 A. Depends on how much experience you have, but it starts at
2 about 26 to \$27 an hour.

3 Q. You mentioned there was no airplane checkout when you started
4 as a flight instructor to provide flight instruction. Do you know
5 if any other flight instructors that got hired, were they given a
6 checkout?

7 A. I think if you did your training at the school, they don't do
8 a checkout. I think the only time they possibly have you do a
9 checkout would be if you did not conduct training with the school
10 prior to being employed as a CFI. I'm not a hundred percent sure
11 on that, though.

12 Q. So you wouldn't know who would be administrating those
13 checks, then?

14 A. No, I wouldn't. I usually know that we hire internally, so
15 if you do your private, instrument, commercial, MCFI, all through
16 Rocky Mountain Flight School, you usually get hired by them. I
17 don't think we hire too many outside CFIs.

18 Q. Okay. Let's go to the accident, day of the accident. Can
19 you describe what happened from the planning of the flight to the
20 accident?

21 A. So yeah, the morning of the accident, we went out to the
22 aircraft and I watched Mykola do his preflight, just like every
23 other day, making sure we had adequate fuel and oil onboard. He
24 used the checklist and I kind of just observed him, making sure he
25 checked all those items on the checklist. We looked at the

1 weather for both here to Longmont because I was -- the game plan
2 was to go to Longmont and do soft field landings because that was
3 an area of operation where he needed some help with and so I
4 wanted to, you know, concentrate on that for the lesson and have
5 him work on that. So that was our kind of plan of action for the
6 lesson that day.

7 So after the preflight, we checked the weather, it looked
8 VFR, winds were calm, you know, it did not look like any sort of
9 weather coming in. So we take off -- I'm sorry, we do the run-up
10 and the run-up looked satisfactory, it looked complete, there were
11 no red flags or indications to where I felt like we should take
12 the aircraft back to the flight school. We take off; we climb up
13 to 7,500 on our way to Longmont.

14 We set for -- we get the AWOS and set up (indiscernible)
15 entry, enter, and we do several laps in the pattern, doing a soft
16 field landing and then just a normal takeoff because I didn't want
17 to do soft field landing to a soft field takeoff, I felt like that
18 was too complicated and so I figured let's just do one normal
19 landing or normal soft field landing to a normal takeoff to just
20 make it easier on him, so he has less to kind of concentrate on,
21 reduce his pilot workload.

22 We did four laps in the pattern. On the fifth one, we came
23 in, the approach was a little unstable and we were to the right
24 side of the runway and I called for him to do a go-around because
25 we were not center-lined. So we applied full power and I said go

1 around, he said go around and pushed some power. I said it a
2 second time because I didn't think the aircraft performed full
3 power and I put my hand over his, pushing the throttle in,
4 verifying the student applied full power. We attempted to climb.
5 At this point we were probably 20 to 25 feet off the ground. We
6 slowly started to climb, but we did have 40 degrees of flaps in,
7 performing the soft field landing, which is the ACS. And I know
8 with 40 degrees of flaps you have a lot of drag.

9 So we started to climb a little bit, we had a slight positive
10 rate and attempted to move the flaps to 30 just to reduce some of
11 that drag so we could get a better climb performance and get away
12 from the runway. From there the aircraft sank a little bit due to
13 a change in shape of the airfoil and we started to climb out a
14 second time. From there I attempted to go flaps 20. On the
15 transition from flaps 30 to 20, we sank a lot more and I believe
16 that's when we lost control and ended up kind of on the ditch by
17 Alpha 3 on Landing Runway 2-9 at Longmont.

18 From there we -- I asked Mykola if we were okay after
19 -- or if he was okay after the impact, making sure that, you know,
20 he wasn't injured or, you know, needed any assistance and we both
21 were okay and exited the aircraft by our own power or our own
22 ability within about 20 seconds of the accident. I saw a few
23 people coming from the Longmont skydive operation around the
24 airport coming to assist me and after that, I saw an ambulance on
25 its way. So from there I saw someone in the area who must have

1 called for emergency medical assistance and they came and checked
2 us out. The paramedics and fire department both said we didn't
3 have any injuries. I had a small, about the size of a paper cut
4 on my forearm and that was about it. They checked us for
5 concussions and other things like that and we both were cleared
6 and I don't think -- I didn't attend the hospital, I don't think
7 Mykola has attended the hospital either since the accident, so I
8 think we both had no injuries.

9 Q. And were both of you wearing shoulder harnesses?

10 A. Yes, sir.

11 Q. All right, let me go back because I have no preset line of
12 questions, so let me go back to the Rocky Mountain Flight School.
13 Were there any regular meetings or any kind of meetings to discuss
14 policies or procedures on how things should be done and how it
15 shouldn't be done with the flight instructors? Did all of you get
16 together and have such meetings?

17 A. They would try and have meetings like once every maybe a
18 month or two, but they weren't like -- they weren't like -- let me
19 think of how I want to say this. A lot of the meetings, they
20 would like just buy us lunch and talk about the flight school and
21 like how many hours we're flying every month, but it wasn't like
22 you should be training your students this way or it wasn't like,
23 you know, plans of actions they'd come up with, it was just like
24 we flew 5,000 hours in the past 2 months, good job, team, and that
25 sort of thing, which that's great and all, but it wasn't anything

1 like you should adjust your training this way.

2 Q. Was there any discussion of limitations?

3 A. Of the aircraft or --

4 Q. Of the way you conducted instruction on aircraft, any
5 discussion of limitations?

6 A. No. At Rocky Mountain Flight School, they pretty much leave
7 it up to the CFI. I know there's other flight schools around the
8 country where, you know, if it's a 20-knot wind they don't let the
9 CFI take the student up and that sort of thing, but our flight
10 school, we don't have any sort of limitations or anything like
11 that, if that's what you're questioning.

12 Q. Have you flown the other Cessna 172s in the fleet?

13 A. Yes, sir.

14 Q. So my understanding is some of them have a limit where you
15 can't extend beyond 30 degrees of flaps.

16 A. Yes. So in some of the Cessnas at our school, Greg put like
17 an STC into the lock going past 30 degrees, but the aircraft we
18 were in did not have that update.

19 Q. And did he ever -- and it's Greg Boomhauer (ph.), is that
20 correct?

21 A. Yes, sir.

22 Q. Did he ever discuss with you why there was a physical stop at
23 30 degrees on these aircraft?

24 A. No, he just puts it in.

25 Q. Did he ever tell you or the other flight instructors not to

1 use 40 degrees of flaps?

2 A. No, sir.

3 Q. Going back to the accident flight, on the go-around, you said
4 you pushed the throttle control fully forward?

5 A. Yes, sir.

6 Q. And what was the corresponding tachometer indication?

7 A. I was not looking at the tachometer; I was attempting to keep
8 my outside -- eyes outside to fly the aircraft.

9 Q. Do you recall what your airspeed was?

10 A. I do not. I do remember, as we were retracting the flaps
11 from 30 to 20, the stall warning horn faintly coming on and so I
12 attempted to push forward and build airspeed in that ground effect
13 and the aircraft did not build any airspeed, it did not get an
14 increase of performance, causing us to go down.

15 Q. Going back to prior to the flight, were there any open
16 squawks on the airplane?

17 A. I believe not.

18 Q. And how would you know about squawks?

19 A. At the flight school we have a squawk binder where the
20 squawks should be listed and saved.

21 Q. And do you review that?

22 A. Yes, sir.

23 Q. And there was nothing open on it?

24 A. No, sir.

25 Q. Do you recall what the previous write-ups were?

1 A. I believe the last write-up in the squawk book was someone
2 squawked the nose strut collapsed, but that was a few weeks prior.
3 And then there was a maintenance with the squawk sheet saying it
4 was repaired.

5 Q. Do you recall the approximate date of that last squawk?

6 A. I do not. I don't.

7 Q. If there's a problem with the aircraft, how is that addressed
8 when you see it, to reporting to resolution?

9 A. So the way I address it is if I see an issue with the
10 aircraft, I will, you know, cancel the flight lesson, go inside
11 and fill out the squawk sheet and turn it in with the dispatch so
12 that when I hand it to dispatch back in with the form all right,
13 you know, with the squawk sheet, you know, the aircraft did not
14 fly, check squawk sheet and then just put -- and then fill out the
15 squawk sheet as it says.

16 Q. Okay, so with that process, who are you talking to and
17 turning all this stuff in to?

18 A. So, because Greg's typically in the maintenance shop across
19 the parking lot, I turn it back in to either Kat or Charlie,
20 whoever's working the reception desk. And therefore if they see a
21 maintenance issue, they could block the aircraft and put it down
22 for maintenance so other people can't check it out on the Flight
23 Schedule Pro system.

24 Q. Okay. So are you typically talking to Mr. Greg Boomhauer
25 during this process or is it somebody at the front desk?

1 A. Basically, someone at the front desk.

2 Q. And who is that person?

3 A. Either Kat or Charlie, being the flight school managers.

4 Q. And what are their last names?

5 A. Kat, her last name is now Boom, and Charlie Krummel.

6 Q. Okay. Going to the accident airplane 6587 Echo, is that

7 engine past TBO?

8 A. What do you mean by TBO?

9 Q. Past time between overhaul.

10 A. I believe not.

11 Q. Okay, so just for explanation, every engine has a reciprocating as a

12 time or recommended time between overhauls issued by the

13 manufacturer. So you're not certain of that.

14 A. I'm not certain of that.

15 Q. Do you ever get a chance to look at the maintenance records?

16 A. Yes. We can look at the maintenance records as CFIs, unless

17 the -- unless Greg takes them to the maintenance shop. Typically,

18 most of the times logbooks are at the school, but every now and

19 then he'll take them to the shop. So when this incident happened,

20 the book was -- I couldn't find the book.

21 Q. So do you have access to the maintenance logbooks or do you

22 have to ask somebody?

23 A. We have access to them.

24 Q. I just want to address one little concept, does CL max

25 increase or decrease in ground effect?

1 A. So your coefficient lift should increase in ground effect.

2 Q. How about your CL versus alpha curve, does that slope
3 increase or decrease in ground effect?

4 A. What do you mean by alpha, can you explain that?

5 Q. Angle --

6 A. Angle of attack?

7 Q. Coefficient lift versus your angle of attack slope, does that
8 slope increase in ground effect or decrease?

9 A. So as you're in ground effect you're with the flaps and
10 you're going to have more induced drag which is going to give you
11 an increase in lift, which is why you're going to be able to flow
12 and touch down softly because as you rotate back, your angle of
13 attack is going to slightly increase, allowing you to touch down a
14 little softly.

15 Q. Do you think there's anything mechanically wrong with the
16 airplane that precluded you from recovering from that, during that
17 go-around?

18 A. Yes, sir, I feel that the engine did not produce full power
19 on the go-around.

20 Q. And why do you say that?

21 A. Because I feel if the engine did produce full power, I
22 would've been able to climb away from the runway, I wouldn't have
23 been able to -- I wouldn't have sank so far back into the ground.

24 Q. I want to talk to you a little bit about maintenance
25 discrepancies and/or squawk sheets. You brought a piece of paper

1 and I haven't seen it. What is that issue about?

2 A. So with my case, I had a renter who came in and told me he
3 squawked the aircraft the evening before I flew it, for two
4 aborted takeoffs, for the engine not producing full power. The
5 aircraft was not downed and I was unaware of the squawk before my
6 flight, so when I took off and didn't produce full power on my go-
7 around, well, it was squawked the very flight before mine. This
8 is a second squawk sheet.

9 Let me add, that squawk sheet that that renter turned in, it
10 was not in the squawk book when I went to go look at it, when he
11 told me about it, about 10 days to 2 weeks after the accident. So
12 therefore the squawk sheet was not filed in the binder and it was
13 missing.

14 This squawk sheet is another squawk sheet I found that
15 myself, Brian Griffith, and Paul Richy, those are two CFIs at the
16 flight school, witnessed Greg crumpling up and throwing away in
17 front of us. The squawk is for an altimeter being 200 feet off
18 and Greg did not check it, he did not repair it, he crumpled it up
19 and threw it in the garbage.

20 Q. So go back to what prompted him. Was there any discussion
21 about the squawk sheet before he threw it in the garbage?

22 A. He asked me, Paul, and Brian if we included the pointer
23 assembly and we said we have not and he said okay, and threw away
24 the squawk.

25 Q. Was he angry or what was the tone of the conversation with

1 him?

2 A. He just seemed irritated that he had a squawk and that's more
3 reported, giving him more work to do. He just seemed like he
4 didn't want to deal with it.

5 Q. And is he the sole mechanic over there, Greg Boomhauer?

6 A. I know he has his A&P, I think he has other people working
7 for him, I don't know if they're all A&Ps or not.

8 Q. Going back to 6587 Echo, you said there was a squawk on that
9 that wasn't in -- there was no squawk sheet?

10 A. Yes, sir. So my accident happened the morning of July 30th.
11 On the evening of the -- or afternoon of the 29th, we had a renter
12 and his name was Alec VandeWeerd, and his girlfriend, I'm not sure
13 of her name, I haven't met her, but they took off in 87 Echo after
14 completing the run-up and everything accordingly and took off
15 three-zero right leaving here to go about 200 feet AGL and had to
16 re-land on the runway and aborted the takeoff.

17 From what Alec has told me, he wasn't sure why the engine was
18 not climbing and producing full power and the climb ratio was not
19 adequate, so he thought he personally messed up the mixture. So
20 he re-taxied back down, reset the mixture and re-took the runway,
21 and he went full power and he's just like something doesn't feel
22 right, this doesn't seem like full power, and he aborted that
23 second takeoff, as well. He went inside, squawked, filled out one
24 of the squawk sheets, stating the incident and what happened with
25 his two aborted takeoffs and gave it -- and handed it directly to

1 Charlie, and Kat was there to witness that. And after that, the
2 squawk sheet was not dealt with or -- I don't know what they do
3 from there, on their end, but I was unaware of the two aborted
4 takeoffs when I flew the aircraft the next morning. I really feel
5 like if I would've known about that, I wouldn't have taken the
6 plane. That is something that is to me a big red flag and it
7 should've been checked, but I had no idea that happened the flight
8 before mine.

9 Q. In any of the aircraft, how far do the squawk sheets go back
10 as far as calendar time?

11 A. I don't know the exact dates on those.

12 Q. Well, when you -- for example, when you're going up in 6587
13 Echo, how many -- how far do the -- do you have 30 days of squawk
14 sheets that's given to you or is it the last week?

15 A. I think it's just until the binder gets full and I don't know
16 where they go from there.

17 Q. Okay.

18 A. These planes are 40 or 50 years old, so I would imagine, you
19 know, that the squawk book only had 20 pages in it over the past
20 40 years and it seems like not substantial. So --

21 Q. Well, when the aircraft is dispatched to you, do you get 30
22 days' worth -- are there 30 days' worth of squawks in there or is
23 it one day's worth of squawks? Is there any set time?

24 A. No.

25 Q. What have you seen as far as how far do these squawks go

1 back?

2 A. I don't know the exact date. I mean, our flight school does
3 have about like 35 different aircraft, so it might be different
4 for every single aircraft.

5 MR. GALLO: I don't have any questions and I'll turn it over
6 to Mr. Harold Robertson.

7 MR. ROBERTSON: Thanks.

8 BY MR. ROBERTSON:

9 Q. Hi. Let's see. Going back to the day -- okay, how was the
10 engine performance during the accident flight? When you left BJC,
11 describe the engine performance, taking off from there.

12 A. Taking off from BJC, I believe the engine performance was
13 okay. I do know that we were able to climb and get up to 7,500,
14 so the aircraft was able to climb and perform. But that doesn't
15 mean -- and we took off, you know, on a 9,000-foot runway here at
16 Rocky Mountain Metro, so we had plenty of runway. We also took
17 off with zero degrees of flaps, so we were able to climb at the
18 appropriate speeds instead of trying to do the go-around with the
19 flaps and attempting to take them out, like we did at Longmont.

20 Q. And what is your -- what is your typical takeoff speed with
21 zero flaps?

22 A. Sixty-five knots. I know the POH says it should be about 55.
23 I usually have my sense (ph.) rotator on 60 to 65 so we have a
24 little excess airspeed so that we do not stall on takeoff. So I
25 try and have them rotate about 5 knots faster.

1 Q. Okay. What is the engine RPM during full power, typically?

2 A. Typically, at this altitude, it should be around 2400 RPM.

3 Q. Going back to your -- your monthly meetings or prior to
4 coming onboard full time as a CFI, what, if any, training do you
5 receive as far as maintenance reporting policy?

6 A. None.

7 Q. They don't teach you how to do --

8 A. I got taught the squawk sheet one day when I was a private,
9 by my instructor, and that was it. I got about 5 minutes of just
10 fill this out, just read it and fill it out.

11 Q. What do you know is the policy now? I mean, obviously you've
12 got some experience with this. So what is your interpretation of
13 the policy for maintenance reporting a squawk?

14 A. Well, I know that when we turn the squawk in there should be
15 a repair in the logbook endorsement in the maintenance records,
16 but as you can see, there's an example of a squawk that got thrown
17 away, so that's it.

18 Q. Okay. Okay, so once you were at KLM0, how many flights did
19 you -- how many touch-and-go's did you do, total?

20 A. So we did four before that and the fifth one was the
21 accident.

22 Q. And one through four, what kind of landings and stops or
23 takeoffs were those?

24 A. So the first four we did a soft field landing on the roll, we
25 put the flaps from 40 to 0 because we were safely on the ground,

1 applied full power, and just did a normal takeoff from there.

2 Q. Okay, so you're doing -- and which were you doing, short
3 field or soft field?

4 A. Soft fields.

5 Q. Okay, so you have 40 degrees flaps and touchdown.

6 A. Yeah, on the roll, flaps 40 to 0.

7 Q. Okay.

8 A. And then full power.

9 Q. So you move the flaps first and then you move power?

10 A. Yes, sir.

11 Q. Okay, so for those first four flight -- or first four
12 maneuvers or landings, how was the engine performance?

13 A. The engine was performing fine, it was able to climb and get
14 to a traffic pattern, which is why I didn't suspect anything to
15 happen, but on the go-around it did not, you know, I think it just
16 did not get the excess power it needed.

17 Q. Okay, so for one through four, you're saying engine
18 performance is normal.

19 A. Yes.

20 Q. You felt it was normal. And then these takeoffs were -- and
21 what were these takeoffs about?

22 A. Normal takeoffs.

23 Q. These were touch-and-go's?

24 A. Yeah.

25 Q. Okay. So on the event landing, you never touched down, is

1 that what I'm understanding?

2 A. No, we did -- we did the go-around about 25 feet off the
3 ground. The only time we touched down was on impact of the
4 accident.

5 Q. Okay, so you didn't actually touch down --

6 A. No, sir.

7 Q. -- at the approach end.

8 A. No, sir.

9 Q. Okay. So you maintained flight above the runway. Then you
10 were carrying -- what were your flaps?

11 A. Well, over at the approach when they were 40 because we were
12 attempting to do the soft field --

13 Q. Right.

14 A. -- we went full power, attempted to climb away and went 40 to
15 30 and then started to climb a second time and went 30 to 20.

16 Q. Okay.

17 A. And sank a lot after that.

18 Q. Okay. And then was it -- when did, actually, the aircraft
19 sink down and actually impact the ground?

20 A. It was short of Alpha 3 if you were landing two-nine and
21 Longmont. I don't know the exact, you know, that metered feet
22 down the runway, but it was -- we skidded for several hundred feet
23 in the dirt, so --

24 Q. Okay, so -- okay, so I'm trying to understand. So you first
25 lifted flaps from 30 to -- from 40 to 30, you settled, you sank a

1 little bit --

2 A. Yeah.

3 Q. -- until you got your speed back up.

4 A. Yes.

5 Q. And then you went from 30 to 20.

6 A. Yes.

7 Q. And that was okay. You sank a little bit --

8 A. It got sinking and I think that's when we hit the dirt.

9 Q. Okay, so -- all right. So you were going from 30 to 20.

10 A. Yes.

11 Q. And that's when you sank to the ground.

12 A. Yes.

13 Q. Okay, how far were you from the end of the runway at that

14 point?

15 A. From which point, when we initiated the go-around or --

16 Q. Yeah, when you started -- when you started to realize that

17 the aircraft wasn't responding.

18 A. We were past the thousand foot because at that point I had

19 the full power in and the aircraft wasn't responding because we

20 weren't climbing, so we were past the thousand foot at some point

21 and we were not climbing away from the ground. We were

22 maintaining ground effect and not getting higher than that.

23 Q. Okay. Did that cause alarm?

24 A. Yeah, absolutely.

25 Q. Okay. Did you ever attempt -- well, I guess you -- what

1 happened once you hit the ground, what did you do, what were your
2 actions?

3 A. Once we hit the ground, we slid to a stop, I asked Mykola if
4 he and his person, you know, himself, was okay, if he had any
5 cuts, head injuries or anything like that and we checked on each
6 other, making sure that -- you know, with each other being, you
7 know, another human being, making sure that they're okay. From
8 there we shut off the aircraft, I believe I watched Mykola shut
9 the master switch off and take the keys out and we exited the
10 aircraft within about 20 seconds of impact, 20 to 30 seconds.

11 Q. Okay. And back to the maintenance. I know you mentioned
12 that there was really no policy discussion about maintenance
13 reporting. Are you aware of what an aircraft record means?

14 A. Yes, I know it's -- the maintenance logs are like the
15 lifeline of the aircraft. Without the maintenance logs, the
16 aircraft is pretty much worthless.

17 Q. Is that a maintenance log record right there?

18 A. I really believe a squawk sheet would count as a maintenance
19 record.

20 Q. Okay. You mentioned that the stall horn sounded briefly?

21 A. Very briefly, yeah, just at the very end. So I knew we did
22 not have airspeed.

23 Q. What were you doing when the stall horn went?

24 A. We were --

25 Q. Were you moving the flaps and power?

1 A. No, that's -- that happened when I went flaps 30 to 20 --

2 Q. Okay.

3 A. -- and we were sinking and the stall warning horn was going
4 on. So we're descending at full power in ground effect, not
5 climbing away from the ground and the stall warning horn is going
6 on.

7 Q. Okay. Okay, so during the check-in before the flight, on any
8 flight, do you have access to the aircraft? Where are these kept?

9 A. They're kept in a file cabinet.

10 Q. Okay, are they in the aircraft logbooks or is it a separate
11 binder?

12 A. It's a separate binder.

13 Q. And you have access to those?

14 A. Yes.

15 Q. So did you look in the binder before you took off?

16 A. I did not that day, but after the accident I did look in the
17 binder.

18 Q. Is that typical, that you don't look in the maintenance
19 binder to see what was reported or what's not?

20 A. Well, I feel like, as the owner and operator of the aircraft,
21 if something is squawked and referred, especially something like
22 two aborted takeoffs, the aircraft should be grounded. So the
23 managers of the flight school, or Greg, have the power to ground
24 the aircraft if they know about maintenance issues.

25 Q. Uh-huh.

1 A. So they could've easily blocked the aircraft from being
2 flown, because they were handed the squawk sheet, they all knew
3 about it.

4 Q. Okay. Looking at this form, I notice that there's a checkbox
5 here. One is for -- it's aircraft squawk, one is for grounding
6 and one is deferred. As far as you know, who is supposed to check
7 those?

8 A. I believe that should be the -- like maintenance or I believe
9 like Charlie could, you know, check that box off, he seems -- he
10 has his ATP, he should know if a maintenance thing would be able
11 to ground it, so --

12 Q. Okay, has anybody ever explained to you what those are for?

13 A. No.

14 Q. Okay. Okay, so you really don't know, at this point, who's
15 supposed to check those off?

16 A. No.

17 Q. Okay.

18 A. I would imagine the pilot filling it out would not know and
19 that's why they're turning in the squawk sheet.

20 Q. Right, right. Yeah. Okay.

21 A. I would also imagine the two aborted takeoffs would be a
22 grounding one.

23 Q. Okay. So I also notice that the -- there's a record here for
24 aircraft return to service, so this is a return-to-service action.
25 So there's a repair line, a couple lines, there's tach, there's

1 date, there's mechanic's signature, and there's mechanic's number.

2 A. Um-hum.

3 Q. I'm not sure what that is, if it's an employee number or a --

4 A. We don't have employee numbers.

5 Q. So do you know what that number's supposed to be?

6 A. No, sir.

7 Q. Okay. So have you looked at aircraft records before and saw
8 these completed?

9 A. Yes, sir.

10 Q. The repair actions completed?

11 A. Yes, sir.

12 Q. Has anybody explained to you what that meant? So that's a
13 return to service, that's a -- that's an IA number or an A&P
14 number.

15 A. Um-hum.

16 Q. Okay. Okay. So you've seen these before, but you were
17 explained what they're for exactly, what the policy is for them?

18 A. I just know that if I see something wrong with an airplane to
19 write in what I see, put my name, the date, the tach time and the
20 aircraft and turn it in with the dispatcher. I don't know where
21 it goes from there, I don't know when Greg sees it, I don't know
22 what happens after I turn it in. And I know that like these
23 squawk sheets are not meant to be just thrown away.

24 Q. Great, this an aircraft record.

25 A. Yeah.

1 Q. When you fill it out and you put your name on it, that
2 becomes the discrepancy reporting piece of the aircraft record.

3 A. Yes, sir.

4 Q. And right, that is -- that stays with the aircraft. Okay.
5 Going forward, are you going to look at these when you go fly?

6 A. Yes, sir. Absolutely.

7 MR. ROBERTSON: So it kind of helps to understand what each
8 one of these blocks means, then. Okay. All right. Well, I don't
9 have any more questions.

10 BY MR. GALLO:

11 Q. I just have a couple more and then we'll be finished. What
12 was the mixture setting for the flight?

13 A. So mixture setting, we set it to full power and reduced it
14 from there because the POH, not in the checklist portion, but in
15 the like, operations, under the descriptions, it says if you're
16 above altitudes above 3,000 feet AGL, you should do a full power
17 run-up.

18 Q. Okay. So then how do you -- what's the procedure for leaning
19 the mixture?

20 A. So we leaned it 1 inch for taxi. Once we got to the run-up
21 area we went full power, slowly leaned the mixture out. You'll
22 see a gentle rise in RPM and then a drop. So once it drops,
23 you're going to enrich the mixture back in to that rise and then
24 another about two turns in.

25 Q. And was that mixture ever changed during the entire flight?

1 A. No, sir.

2 Q. Did you use carb heat for the approaches?

3 A. We did. Just typically on Cessnas, when you descend, it's
4 good practice to have the carb heat on outside the green arc.

5 Q. And during the go-around, was that carb heat in or out?

6 A. I believe Mykola pushed it in when he went full power, as
7 well.

8 Q. Was this the first flight of the day --

9 A. Yes, sir.

10 Q. -- on the airplane?

11 A. Yes.

12 Q. How much fuel did you get on that?

13 A. Well, the flight school has a deal with Signature to top off
14 the planes every night, so the plane was topped off.

15 Q. Okay. Was this Mykola Simutkin's first go-around attempt at
16 using 40 degrees of flaps in your history of training with him?

17 A. I don't believe so, we've done go-around practice before.

18 Q. But was it with 30 or 40 degrees of flaps?

19 A. I'm not sure of the exact flap setting, but I know we had
20 practice go-arounds before, but just not from such a low altitude
21 because when you're practicing, you know, I have my students do it
22 at a higher altitude so they could do the go-around maneuver
23 safely, not close to the ground.

24 MR. GALLO: Okay. Do you have any additional questions?

25 MR. ROBERTSON: Yeah, just a follow-up on what you were

1 saying.

2 BY MR. ROBERTSON:

3 Q. So this was a real go-around, this wasn't a practice go-
4 around.

5 A. Yes, sir.

6 Q. You knew that he had received training prior to this for --
7 during practice go-arounds at higher altitude.

8 A. Yes, sir.

9 Q. Okay. And when you called for a go-around, what did he do?

10 A. He went full power.

11 Q. And how did you verify that?

12 A. I verified that by -- well, so he -- I said go around and he
13 said go around, and the plane did not start climbing or getting
14 away from the ground and so I said go around a second time and
15 pushed my hand on his, but his hand was already like in full
16 power. So he did add full power in an attempt to do the go-around
17 procedure.

18 Q. Okay. And what happened after you verified the full power?

19 A. Well, that's when we were in kind of the top of the ground
20 effect and then --

21 Q. Right.

22 A. -- that's when we tried to climb away from the runway and
23 were not able to.

24 MR. ROBERTSON: All right. Okay, that's all I've got.

25 MR. GALLO: Okay. We conclude the interviews by asking do

1 you have any other issues you want to address that we haven't
2 discussed?

3 MR. ELDER: I know that I had a pilot audio recording from a
4 witness that said he heard the plane did not produce full power.
5 Have you listened to that audio recording when I spoke with that
6 pilot?

7 MR. GALLO: No, not yet.

8 MR. ROBERTSON: I listened to the recording, I have not
9 spoken with the pilot yet.

10 MR. ELDER: Okay.

11 MR. GALLO: All right. Anything else, sir?

12 MR. ELDER: Is the aircraft still at Longmont or is it under
13 Greg's possession here at this airport?

14 MR. GALLO: It's at the airport here.

15 MR. ELDER: Okay. I have a concern that if he's throwing
16 squawk sheets, he might be tampering. I don't know if that's
17 something or not, but that is just a concern of mine if you guys
18 are going to investigate the aircraft.

19 MR. GALLO: Okay. Anything else?

20 MR. ELDER: No, sir.

21 MR. GALLO: All right, thank you for your time.

22 (Whereupon, the interview concluded.)
23
24
25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: CESSNA 172N ACCIDENT NEAR
BROOMFIELD, COLORADO
ON JULY 30, 2022
Interview of Rody Elder

ACCIDENT NO.: CEN22LA362

PLACE: Broomfield, CO

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.



David A. Martini
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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CESSNA 172N ACCIDENT NEAR *

BROOMFIELD, COLORADO *

Accident No.: CEN22LA362

ON JULY 30, 2022 *

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Interview of: BRIAN GRIFFITH, Certified Flight Instructor
Rocky Mountain Flight School

Rocky Mountain Flight School
Broomfield, CO

APPEARANCES:

MITCHELL GALLO, Air Safety Investigator
National Transportation Safety Board

HAROLD ROBERTSON, Avionics Inspector
Federal Aviation Administration

I N D E X

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I N T E R V I E W

MR. GALLO: This is an interview with Brian Griffith regarding Accident Number CEN22LA362, Cessna November 6587 Echo. With me is Harold Robertson from the Federal Aviation Administration, Denver FSDO.

INTERVIEW OF BRIAN GRIFFITH

BY MR. GALLO:

Q. And Mr. Griffith, to start out with, can you discuss what your aviation background is?

A. Sure. So I am a CFI, I've been a CFI since October of 2021 and I held at least a private pilot's license since about, what was it, February of 2018, something, somewhere around there. Yeah.

Q. And how long have you been employed as a flight instructor by Rocky Mountain Flight School?

A. Since April of this year, 2022.

Q. Okay. Before that, did you receive any training from Rocky Mountain Flight School?

A. I did, yes.

Q. And when you got hired on as a flight instructor at Rocky Mountain Flight School, did they provide you any training afterwards, any checkout?

A. No, I was already checked out on most of their airplanes, the only thing that they did is provide me with some reduced cost airplanes to get my multi-engine instructor rating, well,

1 commercial multi and multi-engine instructor.

2 Q. Has anybody at Rocky Mountain Flight School evaluated your
3 instructing ability when you got hired on?

4 A. So the chief pilot, Chris Murtaugh, did teach my CFI, my
5 initial CFI, so he was -- you know, obviously, I paid him to do so
6 and that was prior to my employment, but he did -- he did my
7 initial CFI and so he instructed me through that whole process.

8 Q. But after you got hired, there was no --

9 A. No.

10 Q. -- formal checkout? Regarding standards, for example, wind
11 limitations for students, areas to fly in, who sets those?

12 A. I don't know of any official policy that restricts us from
13 doing any specific training or in any specific areas. I think,
14 mostly, that's up to our best judgment as a flight instructor.

15 Q. Have you ever flown November 6587 Echo?

16 A. I have.

17 Q. And you've used that to teach students in?

18 A. I have.

19 Q. And those students, any comprised of beginning student pilots
20 or these are people that are already certificated?

21 A. You know, I don't know, I don't remember specifically, but I
22 would assume that I've had at least one private pilot student.
23 Most of the time if I'm in that plane it might be for a -- like a
24 discovery flight. I know that's when I -- I just looked to see
25 one of the most recent times I flew it was and that was for a

1 discovery flight. Prior to that, I know I've flown it several
2 times, but I don't know exactly which students I've used it with,
3 I can check my logbook, if you'd like.

4 Q. Okay. But you've taught primary students that had -- that
5 didn't have a rating, student pilots?

6 A. I'm guessing I have, yes. I would be surprised if I hadn't.

7 Q. Do you make use of the 40-degree flap setting on that
8 airplane?

9 A. As a general rule, no, but I wouldn't -- I won't say that I
10 never do it. I generally avoid it, but I wouldn't say that I -- I
11 don't completely avoid it.

12 Q. Did anybody tell you not to use the 40 degrees of flaps
13 setting?

14 A. No.

15 Q. So Rocky Mountain Flight School never issued a policy stating
16 that you shouldn't use 40 degrees of flaps during your
17 instruction?

18 A. Not that I'm aware of.

19 Q. Were you aware that some of the other aircraft were being
20 converted to having a maximum flap extension of 30 degrees?

21 A. I was recently made aware of that after -- I think it was 06
22 Echo had an issue with its flaps and then I was told that time
23 that they were going to convert them over, yeah.

24 Q. Did they tell you why they're doing a conversion?

25 A. Speculation, I think, but mostly it was that there's some

1 issue with the flaps being stuck, being -- getting stuck or
2 basically, the -- I think it was the track that the flap rides in
3 gets bent, can be bent at 40 degrees and lock the flap in the down
4 position or at least partially down, was my understanding of it.

5 Q. But there was no discussion talking about 40-degree flap
6 setting being too much of a drag which could lead to an accident?

7 A. No.

8 Q. Have you ever done a slow flight in any of the 172s with 40
9 degrees of flaps?

10 A. I don't have any -- I don't have a specific recollection of
11 that, but probably.

12 Q. Would you select 30 or 40 as your maximum flap setting for
13 slow flight?

14 A. Usually I do 30, but if I was trying to get a student into
15 like -- you know, sometimes you're preparing a student for a check
16 ride and you say hey, there might be a time on a check ride when
17 you're going to have to tell the examiner I can't do that, and
18 that would be an example of one where I'd have them go to 40
19 degrees of flaps and show them that it's not possible to hold
20 altitude most of the time at a 40-degree flap setting in slow
21 flight and basically do that to show them like hey, the examiner
22 might tell you to do this, you have to be the one to say, you
23 know, I'm unable to hold altitude in this current configuration.

24 Q. Have you ever attempted a go-around from an approach with 40-
25 degree flap setting?

1 A. Not intentionally.

2 Q. Okay.

3 A. Yeah, I don't have a specific recollection of that. I know I
4 had a 172N model that did not belong to this school that I -- when
5 I was -- I think I had my private at the time and I was on a
6 runway, actually, in Durango and I had full flap selected for that
7 landing and I initiated -- it was a touch-and-go and so I
8 initiated the go and raised the flap handle but never actually
9 checked to make sure the flaps were up, and at about 40 knots I
10 leaped up into the air and said that's not right. And so that was
11 quite the experience and it scared the heck out of me, and I was
12 able to just tie it back down on the runway and it was a non-
13 event, but -- yeah, that's the -- when you asked me about a go-
14 around with 40 degrees of flaps, that's what comes to my mind.

15 Q. And how do you incrementally raise the flaps and what flap
16 setting do you end up with to climb out, out of the go-around?

17 A. So for the POH I have to go to 20 degrees immediately and
18 then I would raise -- from 20 degrees I would wait until I had a
19 positive rate of climb and then it would really be situational
20 dependent on, you know, how much clear -- terrain clearance I had
21 past there, how quickly the flap -- how quickly or slowly the
22 flaps come up. I would err on the side of slowly but there might
23 be a situation where they had to come up more quickly.

24 Q. Can you talk about how aircraft discrepancy squawks are
25 handled on the aircraft?

1 A. Um-hum. At Rocky Mountain specifically?

2 Q. Yes.

3 A. So you've got our squawk sheet sitting right here, that's the
4 sheet that we fill out if there is a discrepancy that needs to be
5 fixed by maintenance and then we turn that in to, usually
6 Courtney, who works the desk, but sometimes Kat's there and then
7 sometimes they get, you know, just left on the desk after hours if
8 -- you know, we frequently fly past 5:00 p.m. and all the
9 instructors have a key.

10 So, you know, if I have a squawk after 5:00 p.m., I'll just
11 write it up, put it on the -- and then just leave it on the desk
12 and if it's something that like would be detrimental if somebody
13 else went out and flew it, then I'll just take this sheet, put it
14 on top of the -- there's a clipboard that we use that has the
15 keys, the checklist that comes, that gets dispatched with the
16 plane, and then the sheet that we use to record ops time, that's
17 all kept together on a clipboard, I would just take this, fold it
18 up, put it right on top of that clipboard, clip it all together
19 and set it on the desk so that nobody could grab that clipboard
20 without seeing that squawk sheet.

21 Q. And where are all the squawk sheets kept at?

22 A. Like after they're done or --

23 Q. After and the current ones that are open, where are all
24 those --

25 A. I don't know about the current ones that are open. I know

1 that there's a folder that lives next to or on the desk where --
2 it's mainly Courtney's desk, so I'll call it Courtney's desk,
3 there's a folder that's like for current squawk sheets that
4 basically she's received but hasn't given to maintenance yet and
5 they'll stay in there until somebody from maintenance comes over
6 and grabs them. I don't know what they do with them after that.
7 I know that there is a drawer in the flight school there that has
8 a bunch of little like inch or inch and a half three-ring binders
9 that these go into, but I don't think they go in there until after
10 they're completed and signed off.

11 Q. So if a student pilot is coming in for a solo flight, and
12 these may be two different scenarios, but what if a non-instructor
13 is going to fly the airplane, do they have access to those squawk
14 sheets and do they check them?

15 A. They do have access to them because they're just sitting
16 there in the office, they're not locked or anything, they can --
17 anybody can go open those drawers. That whole cabinet is
18 basically for -- is open use, it's got things that pilots use all
19 the time, like oil, you know, a sump, fuel sumps, dipsticks, that
20 sort of thing. So anybody that's been there at least for a few
21 lessons knows that they can go access that cabinet freely.
22 Whether or not they do as a general practice, my experience is
23 that they don't.

24 Q. So there's no clipboard that comes with the aircraft keys
25 that has the squawk sheets where -- the renter or the student

1 takes with them and can go carry it with them to the airplane?

2 A. No.

3 Q. Okay. So they would have to actively go to this cabinet and
4 pull the squawk sheets rather than the squawk sheets being given
5 to them as part of the dispatch.

6 A. Yes, sir.

7 Q. Since you've been working at Rocky Mountain Flight School,
8 have you had any safety meetings?

9 A. No. We had one, one general CFI meeting where -- I guess you
10 could call it a safety meeting, that's not what it was called, but
11 there was some safety things discussed there, mostly with -- we
12 were just talking about general practices with there are some
13 aircraft like, that weren't getting tied down properly, that was
14 talked about. One of the -- actually, two of the tower
15 controllers came and we kind of just had some discussions about
16 general air traffic control stuff, we had a chance to ask them
17 questions, if we had any. I'm trying to remember if we discussed
18 anything else safety related at that point. Nothing, nothing that
19 comes to mind, there may have been some other light discussion on
20 some, you know, aircraft-specific things, but that's --

21 Q. Are those meetings mandatory?

22 A. That one was presented as a mandatory meeting, yes.

23 Q. And who headed that meeting?

24 A. I mean, Greg was -- yeah, Greg. Greg headed the meeting.

25 Q. Okay. Going back to the squawk sheet, if you checked that

1 the aircraft is grounded, is anything placed in the aircraft
2 saying that it is grounded to prevent somebody inadvertently
3 taking off? Because you're handing the squawk sheet to somebody
4 else and nobody's checking the binders usually, is there anything
5 placed in the aircraft saying the aircraft is grounded?

6 A. Not that I've seen. Usually, if maintenance becomes aware of
7 a grounding issue, an issue that grounds the airplane, they will
8 pull it and bring it over to their shop.

9 Q. Do you want to talk about the squawk regarding the stiff
10 ailerons on one of your aircraft that was on a sticky note,
11 written up, and which aircraft it was?

12 A. Sure. I don't know if you have my e-mail or not, but I think
13 you guys sent an e-mail, too.

14 MR. ROBERTSON: Right, right.

15 MR. GRIFFITH: So I sent an e-mail basically just because I
16 was asked about it. It was November 52160, which is a Cessna 172P
17 model, that -- basically I had just noticed while flying it that
18 the ailerons seemed to be getting more stiff over a course of
19 several weeks, maybe longer. And so I just kind of mentioned it
20 casually to Greg in passing, you know, to say hey, what do you
21 think about this, you know, is it anything to be concerned about
22 and he's like, his answer was it probably could be either the --
23 he said chain, I believe, or aileron cables, and I don't know how
24 that works, so I have no idea, but that's what I recall him
25 saying, even mentioning that maybe it needs lubricated. And so he

1 just -- I said okay. Well, what he said is we'll look into --
2 we'll get it taken care of, we'll lubricate it at its next hundred
3 hour and I said okay, how do you -- you know, do you want me to
4 remind you of that and he said yeah, just write it on a sticky
5 note and basically send it over, because the maintenance logs get
6 kept in the flight school there and so basically any time a plane
7 goes over for a hundred-hours maintenance, logs get pulled and,
8 you know, anything, any like different squawk sheets get attached
9 to it and then he just basically wanted me to just put that sticky
10 note on that, attach it with the logs, so to speak, and then he
11 said he would look into it.

12 BY MR. GALLO:

13 Q. Have you written up anything, other items from other aircraft
14 on a sticky note or was that the first time?

15 A. I think that was the first time.

16 Q. And then the sticky note, did you ever have a chance to look
17 in the logbooks of that aircraft to see if what you wrote on the
18 sticky note was addressed in the aircraft logbook?

19 A. Yeah, when this all came up, we did -- I did go look in the
20 aircraft log and just read through the hundred-hour statement from
21 maintenance where Greg writes what he did there in the hundred
22 hour and I'll be honest, I don't know what everything in there
23 means, but I didn't see anything about aileron cables or anything
24 like that. There is something about an elevator strap, which I
25 think is -- I want to say it's -- in fairness, I read through this

1 pretty quickly, but I thought it said maybe something, when I
2 thought about it later I think maybe it was talking about a
3 grounding strap for the elevator, but I could be mistaken.

4 Q. And what was the approximate date of that write-up, when you
5 discussed this with Greg?

6 A. You know, in the e-mail I sent, I figured out most of the
7 dates. Do you want me to pull that out and I can maybe give you,
8 you know --

9 Q. We have a reference, that's fine.

10 A. Yeah.

11 Q. So going back to flap usage, when you're -- when you have a
12 student pilot, are you telling them not to use 40 degrees of
13 flaps?

14 A. As a personal recommendation from me to them, yes.
15 Generally, I would generally tell them to stay away from the 40
16 degrees flap setting, just because it has so much drag associated
17 with it that I just don't think, you know, if you need that 40
18 degrees of flaps then you probably have done something wrong
19 previously to get to that, to need that 40 degrees flap setting,
20 that I just stay away from it. Like I said, I don't think I've
21 ever told anybody never, ever use this, but as a general rule,
22 like when we're out practicing touch-and-go's and things like
23 that, you know, I say that 30 degrees is the practical limit, I
24 say that.

25 Q. In performing go-arounds, and this is not a demonstration of

1 a go-around, but a go-around because the maneuver didn't go as
2 planned, who performs the go-around, is it you or do you tell the
3 student pilot to do the go-around?

4 A. Usually, I tell them to do it and as long they react in an
5 amount of time that I think is okay, then I let them perform it.

6 Q. How much lateral offset from the center line would you allow
7 before telling a student to perform a go-around?

8 A. It depends on the height over the runway. Yeah, I mean, if
9 it was -- I don't think I've ever set a number and now that you're
10 asking me that, I probably should, but yeah, it would just
11 definitely depend on how high or low we were over the runway.

12 Q. About 20 feet, if the aircraft was 20 feet above the runway?

13 A. Yeah, I mean, I would certainly be telling them to correct
14 and probably helping them correct, you know, if we were more than
15 halfway between the center line and the side of the runway.

16 Q. Okay. What's your procedure for -- in the 172s for leaning
17 the engine?

18 A. Before takeoff?

19 Q. Yes.

20 A. So in the run-up area, as the POH has the run-up at 1700 RPM,
21 I believe, for the N models, so they lean the mixture at 1700 RPM
22 until you get a -- well, you initially get a rise in RPM and then
23 you get a drop in RPM. Once you get a drop in RPM you enrichen
24 the mixture back to the highest RPM that you saw and then go at
25 least two turns rich, I usually do like two and a quarter turns,

1 half turns, two and a quarter half turns rich of that highest RPM
2 value.

3 Q. And if you're remaining in a traffic pattern, do you change
4 that mixture setting?

5 A. No.

6 Q. Do any of the aircraft at Rocky Mountain Flight School, do
7 any of them not have shoulder harnesses?

8 A. No, they all have shoulder harnesses.

9 MR. GALLO: That's all the questions I have for now and I'll
10 pass it to Harold.

11 BY MR. ROBERTSON:

12 Q. Okay. Okay, so earlier you were talking about the aircraft
13 logbook and squawk sheet are accessible to all pilots, well, CFIs
14 and you say students, students that know about them. The CFIs,
15 all the CFIs know about them, correct?

16 A. I can't say for sure.

17 Q. Okay, okay.

18 A. I can't say for sure.

19 Q. So it's not a policy thing that's put out --

20 A. No.

21 Q. -- that says if you need to check squawks or previous
22 squawks, this is where they're kept?

23 A. No.

24 Q. Okay. Would you say renters are briefed about where they're
25 kept as part of their checkout?

1 A. No.

2 Q. Okay. Okay. I believe we spoke about a vacuum pump squawk.

3 A. Yes.

4 Q. Which aircraft was that for, do you remember?

5 A. It was Arrow November 5353 Golf.

6 Q. Okay, and describe what happened on that one.

7 A. So it's kind of a two-step, two stages, because I noticed in
8 all the dates, to the best of my ability, the dates are in the
9 e-mail, but essentially at one point in time I noticed, and this
10 was probably about a month ago or something like that, I noticed
11 that the vacuum pump was showing low suction, very low suction at
12 idle and lower than normal suction even at full power for the
13 engine.

14 And so I wrote up, filled out an -- also my student was
15 noticing that -- we assumed that due to that low suction there was
16 an error in the form of a roll in the attitude indicator, it went
17 in level flight. Now, we didn't look, we didn't really pay a
18 whole lot -- basically, as soon as we noticed that there was some
19 error, there is a standby vacuum pump in that plane, so we just
20 turned it on.

21 Q. Okay.

22 A. And as far as I can tell, that made it go away.

23 Q. Okay.

24 A. And so we didn't sit there and really didn't spend a whole
25 lot of time worrying about what that error was.

1 Q. Okay.

2 A. As soon as we saw there was some error, we clicked on that
3 auxiliary pump and continued to fly --

4 Q. Okay.

5 A. -- in the OC (ph.). And so I wrote that, I wrote a squawk up
6 basically saying I believe the vacuum pump is failing, I think the
7 word I wrote, I wrote vacuum pump failing, shows -- suction gauge
8 shows, I think, like about 2 inches of mercury at idle and about
9 4, roughly, inches at full power.

10 Q. Um-hum.

11 A. And then I also indicated that we had seen that error in the
12 attitude indicator which we perceived to be an error due to the
13 failing vacuum, what I perceived to be a failing vacuum pump.

14 Q. Um-hum. What is the normal readings at idle in?

15 A. At idle, it should be like 4, about 4 inches, and then I
16 think at full power it should be like right about 4.9 inches,
17 right around 5 inches.

18 Q. Okay.

19 A. If I'm not mistaken.

20 Q. So it was noticeable?

21 A. It was noticeable, yes.

22 Q. Okay.

23 A. Especially at low power. At high power, you know, it's
24 within an inch, but even that is noticeable enough.

25 Q. Okay. So after you got back on the ground, what did you do?

1 A. From that first flight I filled out the squawk sheet saying
2 that I believe that vacuum pump was failing and mentioned that
3 there was an error in the attitude indicator. Again, my
4 perception was that that error was due to the vacuum pump.

5 Q. Okay, and did you complete the form as far as for reporting
6 the squawk?

7 A. I did, yeah, this form right here.

8 Q. So what did you mark on there?

9 A. I put my name, I put the aircraft N number, the date,
10 probably put the tach time, though I wouldn't swear to that. I
11 usually don't check grounding or deferred, I don't remember if I
12 did either in this specific case. I doubt, highly doubt I
13 would've checked grounding. Generally, I don't check either one.
14 And then I wrote the -- basically, what I just said in this line
15 here and then I believe that was in after hours where I just left
16 that on the desk.

17 Q. Okay, and you left that on the desk. Okay. Did you keep a
18 copy of it?

19 A. I did not.

20 Q. Okay. Okay, so do you know what happened to that squawk
21 sheet, that particular squawk sheet?

22 A. I don't.

23 Q. You never saw it again?

24 A. No.

25 Q. Okay. And you don't remember the exact date?

1 A. I gave the best dates that I can in that e-mail. Beyond
2 that, I'm just guessing beyond that. I went back in my logbook to
3 see what dates I flew with that particular student that I know
4 that we had that error --

5 Q. Um-hum.

6 A. -- and I just listed a couple of them, which they're less
7 than a week apart.

8 Q. Okay. Okay, so that was the first, the first occurrence of
9 that error, right?

10 A. Right.

11 Q. And then was there a second occurrence?

12 A. There was, when the pump failed completely. And in that
13 case, everything happened as it was supposed to happen, I put in
14 the -- I filled out the squawk sheet, I actually witnessed Greg
15 replacing the vacuum pump, I just happened to be around, and then
16 that squawk sheet is in the aircraft binder and it's signed, it
17 mentions that, you know, Greg wrote out that he made the repairs,
18 signed it, and it's in the logbook or in the squawk book.

19 Q. Okay. All right. Are you aware that this becomes an
20 official part of the aircraft record when you submit it?

21 A. Yeah. I don't know that I understand the full scope of that,
22 but yes, I am aware that yes, there is some -- some requirement to
23 keep it, yes.

24 Q. Okay. If you ever get really bored, 43.9, I think it's (b)
25 or (c), talks about the requirements for recording maintenance

1 records.

2 A. Okay.

3 Q. Okay. Okay, so that was the vacuum pump. Going back to the
4 aileron stiffness, do you remember which aircraft that was, the N
5 number?

6 A. Five-two-one-six-zero.

7 Q. All right. And that was just a sticky note, kind of an in-
8 passing discussion you had with him. Did you fly the aircraft
9 after that it had the 100-hour?

10 A. Yes, I have.

11 Q. And what was your impression of the ailerons?

12 A. Yeah, I think they're about the same.

13 Q. So they haven't changed?

14 A. I don't think so, no. I think when we spoke on the phone I
15 had told you that I had checked it on the ground --

16 Q. Um-hum.

17 A. -- and they felt better, on the ground, at least to me. But
18 then, actually it was that evening I went and flew it and I think
19 they're about the same.

20 Q. Okay.

21 A. In flight, they feel about the same.

22 Q. And when was the re-flight?

23 A. My flight?

24 Q. Yeah, where you checked in and said this isn't -- this
25 doesn't seem like it changed.

1 A. It was the day you and I first talked on the phone, so I
2 think that was the 18th of August.

3 Q. Okay.

4 A. If I'm not mistaken, it was like last Thursday.

5 Q. So no difference detected in the aileron control stiffness.
6 Okay. Do you remember if you looked in the logbook or the
7 maintenance records to see if anything had been done?

8 A. Yeah, yeah, I did. I went and checked the -- the hundred --
9 in the aircraft log where the hundred-hour statement is made, I
10 looked to see if there was anything noted about -- anything about
11 the ailerons and the only thing -- the only thing that I saw that
12 was -- that seemed to be anything close to that was something
13 about an elevator strap, which at the time I didn't understand but
14 now I'm thinking it was the grounding strap to the elevator.

15 Q. Okay, so would you say that it doesn't appear that the
16 aileron was lubricated?

17 A. I don't know.

18 Q. Okay, okay. Fair enough. All right. In our conversations
19 on the phone, you also mentioned an altimeter error where it's
20 showing a 200-foot error in flight and then on the ground, it
21 seemed to indicate a rising or increasing altitude when taxiing on
22 the ground.

23 A. Um-hum.

24 Q. Can you talk about that?

25 A. Sure. So that was not my squawk. That incident that you're

1 talking about occurred, actually, again, the day that we spoke on
2 the phone, it was prior to us speaking on the phone so it was the
3 morning of the 18th, if I have the date right there.

4 Q. Okay.

5 A. The date's in the e-mail. Myself and Rody, and Courtney was
6 in the room, and I don't know if anyone else was in the room, I
7 don't recall if anyone else was, I think it was just the four of
8 us, the fourth one being Greg, Greg was checking the squawk sheets
9 that were on the -- you know, that Courtney was still in
10 possession of --

11 Q. Um-hum.

12 A. -- and one of them mentioned that one of the aircraft, and
13 that aircraft was 4345 Golf, the squawk mentioned, said something
14 to the effect of the altimeter was showing a 200-foot error and it
15 was also showing a climb during taxi. And Greg basically read,
16 reads the squawk and kind of addresses the room, which is
17 basically just me and Rody, and says has anybody flown this plane
18 recently and I said yes, I flew it yesterday.

19 And he said did you notice, and then he proceeds to read the
20 squawk to me, did you notice any of these things and I said no, I
21 didn't notice those, but I also wasn't necessarily specifically
22 looking for those things, either. And I think there was a little
23 bit of back-and-forth about how does an altimeter show or why
24 would an altimeter show a climb while taxiing and did the student
25 mean to write VSI and not altimeter because, you know, I think --

1 which I think, you know, made sense in my mind, too, I could see
2 that, you know, it's frequent that you see a VSI show, you know,
3 on a hundred-foot climb or descent rate on the ground, but I don't
4 think I've ever seen an altimeter move on the ground. Not saying
5 anything other than that, I don't think I've seen it.

6 Q. Um-hum.

7 A. So yeah, so there was a little bit of back-and-forth about
8 that. Once I said, once I told him that I did not notice that,
9 he, Greg, just balled up the squawk sheet and threw it away. And
10 of course, Rody, who, as you are well aware, is the one, you know,
11 the CFI involved in this investigation. It was very interesting
12 to see that that happened right in front of not only me but Rody,
13 as well, so --

14 Q. Um-hum. Okay. Now, Rody mentioned -- he didn't mention
15 Courtney, but he mentioned another, another pilot may have been
16 there, so it was maybe three pilots. He didn't mention Courtney.
17 And let me see if I have that name, I know I have it in the e-mail
18 from him.

19 A. Yeah, so Courtney would've been at the desk and she would've
20 been behind us --

21 Q. Um-hum.

22 A. -- and I don't think -- you know, basically, Greg had his
23 back to Courtney so I don't know that Courtney even -- you know,
24 if she was even paying attention (1) and if she would've been able
25 to see and if she was paying attention, I don't know, but she

1 was --

2 Q. Okay.

3 A. To my recollection, she was in the same room.

4 Q. Okay.

5 A. And as far as another CFI, I don't remember anyone else being
6 in there, but like I said, I -- people are in and out of that room
7 constantly, so --

8 Q. Okay.

9 A. -- if somebody else was in there --

10 Q. Okay.

11 A. -- it would not surprise me at all.

12 Q. All right. Okay, and then -- okay, so on that error, the
13 first, that case, it went in the garbage can, the squawk sheet.

14 A. Correct.

15 Q. Okay. Did you get a chance to look at the squawk sheet?

16 A. I saw it while Greg was holding it in his hand.

17 Q. Okay. All right. It's definitely one of these sheets?

18 A. It is.

19 Q. Okay. Was there a future report of that error or that
20 discrepancy?

21 A. Like another report after that?

22 Q. Yeah, are you aware of anything else that happened on that
23 aircraft?

24 A. No.

25 Q. Okay. All right. Okay, so on the squawk sheet where it says

1 grounding and deferred, you mentioned that you typically don't
2 check those.

3 A. Um-hum.

4 Q. And why is that?

5 A. Unless it's something where I know that I absolutely would
6 not fly this airplane, I don't think it's really my call to make
7 unless it's an obvious safety concern that if somebody goes and
8 flies that plane it's going to be, you know, dangerous to do so,
9 but if it's --

10 Q. Okay.

11 A. If it just comes down to, you know, if it's an error, like if
12 an altimeter is slightly off or something, you know, that's
13 something that I'm not going to check.

14 Q. Um-hum.

15 A. That's a bad example, I don't think I've had that specific
16 thing come up but, yeah, I don't -- I leave that decision for
17 maintenance, let's put it that way.

18 Q. Do you have an A&P certificate?

19 A. No, sir.

20 Q. Okay. All right. Is there any policy that you're aware of
21 that CFIs are expected to make a selection?

22 A. I'm not aware of any policy.

23 MR. ROBERTSON: Okay. Okay. Okay, I don't have anything
24 right now.

25 BY MR. GALLO:

1 Q. I have several more questions. Has this format of squawk
2 sheet, has that been the same since you started working at Rocky
3 Mountain Flight School?

4 A. Yes.

5 Q. And I just want to confirm, there's no sequential numbering
6 system on these squawk sheets.

7 A. Not that I'm aware.

8 Q. Do they come as an original and a copy underneath or it's
9 just the one, one sheet?

10 A. Just the one sheet, as you see it there.

11 Q. Are all the aircraft there certified for IFR flight?

12 A. No.

13 Q. Okay. The one instance with the -- I think it was the
14 attitude indicator and also with the altimetry issue, were
15 those --

16 A. Two different airplanes.

17 Q. Were they both IFR certified?

18 A. The one definitely is, 5353 Golf, the Arrow, that one is. I
19 believe 4345 Golf, similar sounding, is not, but I'd have to
20 double-check.

21 Q. Okay. You had mentioned one time you did a go-around at 40
22 degrees of flaps in a 172?

23 A. Unintentionally.

24 Q. Can you describe why that -- you said unintentionally, but
25 how that came about and how the aircraft performed?

1 A. Yeah. So I was -- it wasn't really a go-around, it was more
2 of a touch-and-go, it was a touch-and-go, let's put it that way,
3 so I touched down on the runway, actually in Durango, Colorado, on
4 the regional airport there, and so I touched down on the runway,
5 make a normal touch-and-go or make a normal touchdown, right,
6 reach over, retract the flaps because I'm going to, you know,
7 continue my pattern work, put in full power, and as I'm rolling
8 down the runway, all of a sudden the airplane just leaps into the
9 air at about 40 knots, all of a sudden, I'm probably 20 feet in
10 the air and I was -- you know, hadn't even begun to rotate, right?

11 And, you know, so I knew something was wrong and luckily, I
12 -- I think I looked out at the wing and saw the flaps are still at
13 40 degrees and I reach over or look over and I see that the handle
14 -- my assumption was oh, you dummy, you forgot to put the flaps
15 up, and I look over and the handle was actually in the up
16 position, so that startled me even more because I knew now I
17 didn't know how to put the flaps up, so I just went ahead --
18 luckily, I was in a 9,000-foot runway and I reduced the power and
19 set it back down on the runway.

20 Q. Okay. And you were by yourself at the time?

21 A. I was.

22 Q. Okay. Was it a student solo flight or you had a rating
23 already?

24 A. I want to say I had a rating, but I'm not positive.

25 Q. Okay. Is there any Rocky Mountain Flight School policy for

1 initial solo flights, actually for solo flights, for students not
2 to perform touch-and-go's, are they allowed to perform touch-and-
3 go's or is it stop-and-go's?

4 A. So I've never seen an official policy, but I know that I was
5 told, just as a good practice that, especially for a first solo,
6 that, you know, you should definitely have your students do --
7 excuse me, a full-stop taxi back. And that's -- you know, I have
8 actually soloed one student so far, but that's what I had him do
9 for the first solo, but I'm not aware of any policy regarding
10 that.

11 Q. Do you know how many mechanics work at Rocky Mountain Flight
12 School?

13 A. I don't know a number, I know it's several.

14 Q. Okay. Do you know who they are?

15 A. No, not really. I know a couple of them, but not really.

16 Q. When you talk about maintenance issues, do you go to
17 Greg Boom?

18 A. Yes, if I -- yeah, if there's a question that needs answered,
19 generally speaking, you're going to go to Greg. I guess if
20 someone else is around and it's just a general question, not like
21 a -- if it's just a general like hey, did this get fixed or
22 something like that, then yeah, you can ask, you know. Tyler, I
23 think, is the one who probably I see the most.

24 Q. Okay.

25 A. But generally, if I've got a question, I'll go to Greg or

1 text Greg or something, yeah.

2 Q. Have you heard of any other Rocky Mountain Flight School
3 aircraft having power loss?

4 A. Power loss. So the only thing that comes to mind was
5 recently in -- it was just about a week and a half ago now, our
6 172XP 736 Quebec Golf, the renter reported that he had a momentary
7 power loss on takeoff and I don't -- I didn't actually hear from
8 him as to whether or not he was actually in the air or if he was
9 on the runway, but I understand that he -- I believe he was on a
10 takeoff roll so I don't know if he was actually in the air
11 already, but he stopped, basically aborted his takeoff at that
12 point, was able to just land on the runway. And the engine
13 supposedly came right back, I guess it was a momentary loss, and I
14 never heard if that meant just like a quick little hiccup or just
15 a reduction in RPM or full-blown power loss, I don't know.

16 But that's a plane that I fly a lot and so I was curious to
17 see what -- you know, what the eventual outcome of that was and I
18 guess come to find out that the student, or not student, the
19 renter had taken off with the fuel pump in the low position
20 because it sounds like -- I'm speculating here -- he was used to
21 doing that from other aircraft that he flies and didn't understand
22 that that was the improper setting. And so I do know that Greg
23 went and flew that plane after he did whatever he did to just
24 check it over, he then went and flew it himself and determined
25 that it was airworthy and returned it to service.

1 Q. And do the renters, if somebody wants to rent the aircraft,
2 what's the checkout?

3 A. So there are certain aircraft that have a minimum time
4 requirement, that is, you know, just an hour requirement that you
5 must fly that plane or a similar plane for a certain amount of
6 hours. But outside of that it's mostly instructor discretion just
7 to make sure that the student or the renter is proficient in not
8 only that airplane but also this airport and our, you know,
9 complex airspace around here.

10 Q. Any pressure from Rocky Mountain Flight School to make a
11 certain amount of flights?

12 A. No. Higher, no.

13 Q. Are they receptive to talking about maintenance-related
14 issues?

15 A. Yeah, yeah. Actually, Greg is really good about it, if you
16 ask him a direct question, he'll get you an answer.

17 Q. Okay.

18 A. They're actually a really great school to work with and I've
19 had no major issues and actually have been -- have noted many
20 times I'm very thankful to work there, I think it's a great place
21 to work and I'm sure there's some things that you guys are looking
22 at right now that, you know, look bad and they may be, but there's
23 also a positive to a lot of -- not all of them, but to a lot of
24 them where we have some individual freedom to do a lot of things
25 that I know of other schools that, you know, maybe they don't get

1 to fly in the afternoon because of some overly restrictive
2 policies that keep them on the ground, you know, because of some
3 minor wind shear or something like that, that, you know, really
4 affect how often they get to fly and how quickly their students
5 progress and how quickly the CFIs progress.

6 Q. And what's your current approximate total flight time now?

7 A. Eight hundred and 80 hours.

8 Q. And your aspirations are to continue flying professionally?

9 A. Yes, sir.

10 MR. GALLO: That's all the questions I have. Harold, do you
11 have any?

12 BY MR. ROBERTSON:

13 Q. Okay, so I may have missed something, when you were talking
14 about the squawk sheet, there's no numbering system, and to your
15 knowledge, there's no copies kept --

16 A. Correct.

17 Q. -- other than copies you guys may keep, you may make and keep
18 yourself.

19 A. We could, there's certainly nothing preventing us from doing
20 that.

21 Q. Okay. All right. And then from there, once their
22 disposition, whether there are corrective actions done or they're
23 -- they could duplicate, do you typically go back and look in the
24 squawk sheet binder to see what happened?

25 A. Not usually.

1 Q. Okay, so what is your thought, why wouldn't you do that?

2 A. You know, I think that's probably like a cultural thing, it's
3 just not something that we've been -- you know, my instructor
4 didn't teach me to do that and so I haven't done it in practice.

5 Q. Okay.

6 A. You know, if I have a question about it, then sure, I'll go
7 check it, but generally I'm just going to go out to the plane and
8 see if it's fixed.

9 MR. ROBERTSON: Okay. All right. I don't have any other
10 questions.

11 MR. GALLO: That's all the questions. We close it out by
12 asking you if you have anything else that you want to address that
13 we haven't covered.

14 MR. GRIFFITH: I just kind of want to ask you guys, as much
15 as you're able to say, just kind of maybe you can speak
16 hypothetically if you can't speak directly, what are -- you know,
17 what is the -- what's the time frame and what's the eventual
18 outcome that could -- let's put it this way, what are the possible
19 outcomes that could happen in this situation?

20 MR. GALLO: As far as findings?

21 MR. GRIFFITH: Findings and actions, yes.

22 MR. GALLO: I couldn't discuss that with you because that
23 would be speculative. I have ideas, but I don't know if they're
24 right at this time, so we're still fact finding.

25 MR. GRIFFITH: Okay.

1 MR. ROBERTSON: Right.

2 MR. GALLO: And a report might be out in a year or so.

3 Anything else, then?

4 MR. GRIFFITH: No.

5 MR. GALLO: Okay. Well, thank you for your time.

6 MR. ROBERTSON: Appreciate your time.

7 (Whereupon, the interview concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: CESSNA 172N ACCIDENT NEAR
BROOMFIELD, COLORADO
ON JULY 30, 2022
Interview of Brian Griffith

ACCIDENT NO.: CEN22LA362

PLACE: Broomfield, CO

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.



Karen D. Martini
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of: *

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CESSNA 172N ACCIDENT NEAR *

BROOMFIELD, COLORADO *

Accident No.: CEN22LA362

ON JULY 30, 2022 *

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Interview of: CHARLIE KRUMMEL, Manager
Rocky Mountain Flight School

Rocky Mountain Flight School
Broomfield, CO

Thursday,
September 1, 2022

APPEARANCES:

MITCHELL GALLO, Air Safety Investigator
National Transportation Safety Board

HAROLD ROBERTSON, Avionics Inspector
Federal Aviation Administration

I N D E X

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I N T E R V I E W

MR. GALLO: All right, this is an interview with Charlie Krummel pertaining to accident investigation CEN22LA362, Cessna November 6587 Echo. With me is Harold Robertson from the Federal Aviation Administration, Detroit FSDO.

MR. ROBERTSON: Denver.

MR. GALLO: Denver FSDO. And Mr. Krummel, I have permission to record this interview?

MR. KRUMMEL: Yes. I'm not real comfortable about it, but I was wondering if you could take notes instead, but --

MR. GALLO: Okay, you could take notes.

MR. KRUMMEL: No, if you could, that's --

INTERVIEW OF CHARLIE KRUMMEL

BY MR. GALLO:

Q. To start out with, can you describe your aviation background?

A. Well, I started probably back in '87 doing some flight training and most of my experience has been in the FBO business fueling, towing airplanes. About three years ago I started over with Greg and the Rocky Mountain Flight School.

Q. And you hold any FAA certificates and ratings?

A. I do, yes.

Q. And what are those?

A. Private, commercial, instrument, multi.

Q. And what's your approximate flight time?

A. Close to 2,000 hours.

1 Q. Do you still fly?

2 A. On occasion.

3 Q. Okay. And then your position over at Rocky Mountain Flight
4 School?

5 A. I'm the manager.

6 Q. And as a manager, what are your responsibilities?

7 A. I do a lot of the updates of the GPS's, more the office
8 administrative duties.

9 Q. Okay. Is there a head flight instructor there?

10 A. No.

11 Q. So who manages the flight instructors?

12 A. We -- I do and Greg does, for the most part, yes. We don't
13 have a chief pilot, per se.

14 Q. I see. And if a flight instructor has a problem or issue,
15 who do they come to?

16 A. It depends on what the issue is. If it's an issue with a
17 student, they might come up to me, but if it's something else,
18 they'll go to Greg.

19 Q. Okay. Going to July 30th, I think Alec Vandeweerd came in to
20 rent an airplane and I believe that airplane had a starter issue.

21 A. That I don't know. You know, that's probably more the
22 dispatch desk's knowing rather than mine, because I'm usually in
23 the back office doing other duties.

24 Q. Okay. So you didn't talk to him about it, that airplane, at
25 all?

1 A. Not that I remember, no.

2 Q. Do you know which airplane that was?

3 A. No.

4 Q. Okay. Who does the dispatch duties, then?

5 A. It's usually Courtney, Courtney Peck (ph.) or Kat and I do it
6 on occasion just to cover lunch breaks, basically.

7 Q. Okay. And then I think Alec came back with that first
8 airplane and then rented November 6587 Echo and then after, he
9 came back with an issue with it. Did you discuss that issue with
10 him at all?

11 A. You know, I remember seeing him. I was actually on my way
12 out and I was telling Kat that I was heading out and he was at the
13 counter. Yeah, I was trying to get out of the office. I think he
14 was talking more to Kat. I don't know, he was talking to her, I
15 don't know if there was an issue or not or what they were --or he
16 was talking about, exactly.

17 Q. All right. So you didn't have any conversations with him?

18 A. Not that I remember. I remember him being there. I don't
19 remember.

20 MR. GALLO: I think that's all the questions I have. I'll
21 pass it over to Harold.

22 MR. ROBERTSON: Okay. Just on the dates, I think Alec
23 Vandeweerd was flying on the 29th.

24 MR. GALLO: Okay, on the 29th.

25 MR. ROBERTSON: That was the Friday, right? I think that was

1 a Friday.

2 MR. KRUMMEL: It was, because I was heading out of town.

3 MR. GALLO: Okay.

4 MR. KRUMMEL: And so that's what -- I was trying to get out
5 of there a little early.

6 MR. ROBERTSON: Okay, okay. So you remember that, all right.

7 MR. KRUMMEL: Yeah.

8 BY MR. ROBERTSON:

9 Q. Good. So describe for me when you guys get a new pilot or
10 you hire a new pilot, describe what you guys do.

11 A. A new -- just a renter pilot?

12 Q. A flight instructor.

13 A. Or flight instructor?

14 Q. Right, right.

15 A. So we'll go through all the administrative process with him,
16 how we do the paperwork, how to do the scheduling and things of
17 that nature.

18 Q. Uh-huh.

19 A. We'll usually start them off flying discovery flights. And
20 most of our instructors have kind of grown up through Rocky
21 Mountain Flight School, where they did all their training there.

22 Q. Okay.

23 A. That way they're kind of familiar with our procedures and
24 policies and things of that nature.

25 Q. Okay. What kind of -- so you say you go over the paperwork

1 and things like that, so what kind of paperwork are you talking
2 about?

3 A. Like the dispatch sheets, the write-up sheets or the squawk
4 sheets, I guess they call them, where everything is, oil, how to
5 sign out if they need -- if the airplane needs oil, things like
6 that.

7 Q. Okay. Okay, so they get -- they get basically the rundown on
8 how things are. If something goes wrong, do they know who to
9 contact?

10 A. Yes. Yeah.

11 Q. And who is that usually?

12 A. It's usually the person behind the flight counter --

13 Q. Okay.

14 A. -- or on the back of our clipboards it has phone numbers on
15 there.

16 Q. Okay.

17 A. Greg's on there, I think I'm on there, the front desk is on
18 there, as well, so --

19 Q. Okay.

20 A. And it's more of an after-hours thing --

21 Q. Okay.

22 A. -- because if it's during the day, they just call the office
23 directly.

24 Q. Right. Now what about -- so that's a flight instructor that
25 would be working for Rocky Mountain Flight School, right?

1 A. Um-hum.

2 Q. So what about if I were to come out and get checked out on
3 one of your aircraft and say, as a renter, I have a private pilot
4 license and I want to get checked out, what is the process for
5 that?

6 A. First, we got to make sure you meet all of the
7 qualifications, the medical and everything like that.

8 Q. Right.

9 A. Get you with an instructor, have you fill out the aircraft
10 checkout sheet and you sit with the instructor and you go over
11 everything to make sure that you didn't miss anything, basically,
12 you know, on the weight and balance or just anything about the
13 airplane in general.

14 Q. Okay.

15 A. And then go up and fly, do all the maneuvers, the flight
16 maneuvers, make sure you're proficient, understand what you're
17 doing, basically.

18 Q. Uh-huh.

19 A. If it doesn't go too well, the instructors will schedule
20 another lesson --

21 Q. Okay.

22 A. -- and go over it again, so until they get it correct.

23 Q. Right. Okay, so when you talked about some of the maneuvers
24 and basically, you're talking about just procedures, standard
25 procedures, what is your reference?

1 A. Well, like steep turns, stalls, slow flight, things of that
2 nature, make sure they can fly the airplane. Short field
3 takeoffs, landings.

4 Q. Okay.

5 A. Yeah, so --

6 Q. And then what about like run-ups and stuff like that?

7 A. All that, too, as well. Yes.

8 Q. Okay. So what do they use as a reference, what is their --
9 do you guys have an internal checklist or --

10 A. We do have checklists in -- the dispatch books, yes.

11 Q. Okay, all right, all right. So you give me the checklist and
12 the checklist, is that something you guys just like put together
13 or where does that information come from on the checklist?

14 A. It's put together, it's been there since before I was there,
15 even.

16 Q. Um-hum.

17 A. So it has all the preflight inspection, starting the engine,
18 and then it talks about certain airspeeds for different flight
19 characteristics.

20 Q. Okay.

21 A. Shutdown procedures, emergency procedures, it's all in the
22 book.

23 Q. Okay, so kind of -- so would you say it references the POH?

24 A. Yes.

25 Q. Oh, okay.

1 A. Yes.

2 Q. All right. And so that includes run-ups and --

3 A. Um-hum.

4 Q. -- everything like that?

5 A. Yes.

6 Q. Walk around?

7 A. Yeah.

8 Q. All right, okay. So that's pretty standard. So if they have

9 a problem with an aircraft, for whatever -- the weather before

10 takeoff or after they land, what do they do?

11 A. If they have a mechanical of some sort?

12 Q. Right, if there's some sort of mechanical --

13 A. Yeah, so the --

14 Q. -- obstruction (ph.) -- sorry.

15 A. Well, they had to get that.

16 Q. Let me turn this off.

17 A. They'll come up and they'll get a squawk sheet from us, they

18 fill out the squawk sheet and then we'll give it to Greg and we'll

19 either text him about hey, we have a squawk on this airplane or

20 I'll call him or I'll run the squawk sheet over to the maintenance

21 hangar --

22 Q. Okay.

23 A. -- and then he'll address it at that time.

24 Q. Okay. So these squawk sheets are -- how does a pilot get

25 one?

1 A. We have them right at the flight counter.

2 Q. Okay, so they don't have to go digging through --

3 A. Right. So if they come in and say hey, I had this problem,
4 whatever it is, we'll just automatically give them the squawk
5 sheet.

6 Q. Okay. So are they familiar with the squawk sheet, is it part
7 of their indoc training?

8 A. I believe it is, yes, because that would be through the
9 instructor, would show him that.

10 Q. Okay. So in the case of a rental pilot --

11 A. Um-hum.

12 Q. -- would they --

13 A. Yeah, because a rental pilot has to get checked out with us,
14 anyway.

15 Q. Okay, right.

16 A. Yeah.

17 Q. Got you, got you. Okay. So -- and then what happens, what
18 happens with that?

19 A. So Greg will address the issue, whatever it is, and then sign
20 the logbook, sign the squawk sheet, that he had the corrective
21 actions, then we put it back in a binder that it's been completed
22 with. We'll ask him do we need to take the plane out of service
23 or what are your thoughts on that and he'll kind of guide us in
24 that direction.

25 Q. Okay. Do you have an A&P?

1 A. No.

2 Q. Okay. Okay, so what is the -- what is a pilot actually

3 putting on the squawk -- what is that? Describe that for me.

4 A. Well, it's a description of what the problem is, it might be

5 a flat spotted tire, let's say.

6 Q. Oh, okay.

7 A. Or -- and then --

8 Q. A light bulb --

9 A. A light bulb's out or yeah. A cracked sun visor, I don't

10 know. And they'll just write that down and Greg will address it.

11 Q. Okay. And do they put their name on it?

12 A. Yes, it's got the name, the tach, the hobs.

13 Q. Date?

14 A. The date, yeah. And I think their signature on there, too.

15 Q. Okay.

16 A. Yeah.

17 Q. So it actually becomes an aircraft record, then --

18 A. Yes.

19 Q. -- at that point?

20 A. Yes.

21 Q. Okay, okay. So then I'm just going to reflect here on what I

22 understand. So the pilot fills out the squawk sheet and gives it

23 to whoever's on the desk, you or Kat or who would be --

24 A. Yeah, because I'm not usually at the desk, I'm in the back

25 room --

1 Q. Okay.

2 A. -- the back office doing my duties or -- Courtney and Kat are
3 usually up front there.

4 Q. Okay. Do they ever just leave it laying around?

5 A. No, we have a folder for squawk sheets, but -- so let's say
6 it's late at night or something or in the evening.

7 Q. Um-hum.

8 A. Greg will come in and get that folder first thing in the
9 morning.

10 Q. Okay.

11 A. Yeah.

12 Q. Okay. Yeah, (indiscernible). Okay, so then that goes to
13 Greg and then Greg, what does he do typically?

14 A. He fixes whatever the problem is, yeah.

15 Q. Okay, so he does -- okay.

16 A. Yeah. And then he'll -- on the bottom of the squawk sheet it
17 has the corrective actions and Greg will write in there what he
18 did to fix the problem, and then I think he puts the tach in
19 there, as well, and then the logbook entries.

20 Q. Okay, so Greg does -- and what if he doesn't find anything
21 wrong, what does he do, would you know?

22 A. I don't know, yeah.

23 Q. Okay.

24 A. Because he'll give them back to us, a three-hole punch and
25 we'll put them back in the binder.

1 Q. Got you. Okay, so that's -- so he must sign it, date it?

2 A. Yes, yes.

3 Q. And does he put a certificate number on it?

4 A. I don't know, to be honest with you.

5 Q. Okay.

6 A. I'd have to look at one.

7 Q. So it becomes an aircraft record then. Well -- okay. All
8 right, good. All right, so I think that -- and then that becomes
9 -- you said it stays in a binder?

10 A. Yes.

11 Q. So is the binder with the aircraft logbook?

12 A. No, it's in a cabinet in our lobby area and we have that
13 there so people can look at, you know, if there's any squawks or
14 what were the squawks on the airplane.

15 Q. Okay.

16 A. Yeah.

17 Q. Okay. And so what happens when the binder gets full?

18 A. What?

19 Q. Nothing.

20 A. Yeah, I mean, we've got binders with a bunch in there, so --

21 Q. Okay.

22 A. Yeah.

23 Q. So I guess my question is, so do those -- do those reports of
24 discrepancies and the corrective actions that, you know, the sign-
25 offs, return to service basically, is what it is.

1 A. Right, exactly.

2 Q. Are those transcribed into the aircraft logbooks or it just
3 becomes -- that binder becomes part of the aircraft record?

4 A. Well, I'm assuming Greg puts them in the aircraft logbooks.

5 Q. Okay.

6 A. And then we put them in the binder.

7 Q. Okay. So basically the binder stays with the logbook, right.

8 A. The sheet.

9 Q. Okay.

10 A. Yeah, yeah.

11 Q. All right. Okay. And then do you guys have a night shift?

12 A. No, we're -- the office is 8:00 to 5:00.

13 Q. Okay, what about the maintenance facility?

14 A. They're about the same, I think, or they might stay a little
15 later. I know Greg does, because I'll be leaving at 5:00 or 5:30
16 and I'll see him heading out, too. And I think he gets in at 6:00
17 in the morning sometimes.

18 Q. Okay. All right. All right, so when aircraft come in, does
19 he -- so he fixes them the next day, typically, then?

20 A. Um-hum.

21 Q. Okay.

22 A. Yes.

23 MR. ROBERTSON: All right. That's kind of all I have.

24 BY MR. GALLO:

25 Q. Okay. Well, as the questions move along, new questions kind

1 of come to mind, because I never really have anything structured
2 before this. But going back to the flight instructors, are there
3 recurrent checks done for the flight instructors?

4 A. No, there isn't. I know a recurrent would be they're getting
5 their other ratings and they're all doing that.

6 Q. Okay.

7 A. And they'll go CFI, double I, MEI, on down, and then they're
8 off to SkyWest.

9 Q. Okay. So how do you know if a flight instructor is doing
10 something that's problematic or unsafe? How do you know that it's
11 happening?

12 A. You know, I guess I won't unless they come up and tell me or
13 another instructor saw something that was an issue.

14 Q. Okay. And then are there recurrent checks of the renter
15 pilots? They get an initial checkout, but --

16 A. Yeah. You know, some of the paperwork they fill out is a
17 rental agreement and in there it states if they haven't flown in,
18 I think it's 90 days, that they have to go back up with the flight
19 instructor to show proficiency.

20 Q. If they haven't flown for 90 days?

21 A. Correct.

22 Q. Okay. Has a rental pilot ever been removed or not allowed to
23 rent because of doing something unsafe or --

24 A. Yes, yes.

25 Q. And do you remember how many times that occurred?

1 A. A handful of times, probably. I don't know off the top of my
2 head, no.

3 Q. And how did you find that out?

4 A. It's usually an incident on the airport here.

5 Q. Okay.

6 A. Or a different airport.

7 Q. Has it been ever based on somebody calling in to you or from
8 a flight instructor telling you something?

9 A. No, it's usually an aircraft gets dinged.

10 Q. Okay.

11 A. And we'll know about it.

12 Q. Do you know how long Alec Vandeweerd has been renting?

13 A. I don't.

14 Q. All right. And just to go back, so you never talked to him
15 on July 29th, that's the date he rented 6587 Echo.

16 Q. You know, I don't remember. I mean, I was at the flight
17 counter and I think he was there, but I don't remember a
18 conversation.

19 Q. Okay.

20 A. I was probably talking more with Kat, saying that I was, you
21 know, heading out, but --

22 Q. Okay. And would you know what the N number was of the first
23 airplane? It was a magenta and white airplane, 172.

24 A. A magenta and white.

25 Q. And that's the one that had maybe a starter issue.

1 A. No. I mean, was it a 172 or do you know?

2 A. Yeah, a 172.

3 A. It was? Maybe 06 -- I don't know, 7306 Echo.

4 Q. Well, we could find out from the records.

5 A. Yeah, I don't know.

6 Q. Did you ever talk to Alec before, before the 29th?

7 A. No, I don't know him, really.

8 Q. All right. Did you talk to Rody Elder after his accident in
9 6587 Echo?

10 A. Greg wanted to talk to him just to see what happened, so we
11 both just chatted with him and got his point of view.

12 Q. And what did Rody tell you?

13 A. Just what happened, that he wasn't sure exactly what happened
14 and he didn't know if it was a power issue or if he raised the
15 flaps up, it's got 40 degrees of flaps and it settled in, so --

16 Q. Did you ever talk to his student, Mykola Simutkin, after
17 that?

18 A. No, I didn't.

19 Q. Was Mykola Simutkin, was that Rody's very first student at
20 Rocky Mountain Flight School?

21 A. No, I don't believe so. Rody's been there for quite a while.

22 Q. Okay. Do you have employee meetings at Rocky Mountain Flight
23 School?

24 A. We'll have a quarterly CFI meeting and we'll try to get
25 people from the tower in, Greg's in there, and then probably every

1 2 months or so Greg will have like a maintenance talk, a meeting
2 that's opened up to renter pilots, instructors, everybody.

3 Q. And do you attend those meetings, also?

4 A. Yes.

5 Q. Is there a name for these meetings? I mean is it necessarily
6 called a safety meeting or just a meeting?

7 A. It's a flight instructor meeting, basically, and we'll talk
8 about issues with -- like with summer coming on, thunderstorms,
9 wind shear. We're going to have one soon and we'll talk about
10 winterize, getting snow off the airplanes and it's snowing, what
11 to look out for, icy ramps, things of that nature.

12 Q. Do you remember when the last one was?

13 A. No, I don't. I think Courtney would probably have that
14 information because she kind of orchestrates those, puts them
15 together, sends out an e-mail to everybody. Yeah.

16 Q. Can you give an estimate? I don't need an exact date.

17 A. It was maybe a couple months ago because we were -- it was a
18 noise -- a lot of it was noise abatement issues and we had the
19 tower there and they were talking about what we can do to help
20 avoid certain areas.

21 Q. And do you recall if Rody Elder attended that last meeting?

22 A. I don't recall, yeah.

23 Q. Are the meetings required to be attended?

24 A. No.

25 MR. GALLO: I guess that's all the questions I have. Hal, do

1 you have any more?

2 BY MR. ROBERTSON:

3 Q. So going back to the conversation you and Greg had with Rody,
4 this was after his accident, you mentioned 40 degrees of flaps.
5 Is that typical that these aircraft have 40 degrees of flaps on
6 them?

7 A. Some do, some don't. Greg's working, he's got the STC to go
8 from 40 to 30 --

9 A. Uh-huh.

10 A. -- and he's been working on that.

11 Q. Okay.

12 A. Yeah.

13 Q. And then talk about his comments about the power issue, what
14 did he say about that?

15 A. Rody's?

16 Q. Yeah.

17 A. Well, Greg asked him and Rody, he just wasn't sure if it was
18 a power issue or flaps and he really didn't know.

19 Q. Yeah.

20 A. So I don't think anybody knew.

21 Q. Right. So what was --

22 A. Who knows now?

23 Q. What was the outcome of that conversation?

24 A. That was it. We just all went downstairs, you know, and
25 thanked him for getting together with us and Greg was asking more

1 of the questions. He asked me if I had anything else and I said
2 no. I know Rody's a super nice guy.

3 Q. Uh-huh.

4 A. And I know how he flies, so I didn't have anything else to
5 say.

6 Q. Yeah. Okay. So how long has Rody been a CFI, do you
7 remember?

8 A. I'd have to look. At least a year, I think.

9 Q. Okay. How many students does he have, typically, does he --

10 A. Probably six to eight students. He just got his double I and
11 he's working on instrumentation students, as well.

12 Q. Okay.

13 A. So yeah.

14 Q. All right. Let's see here. So --and then there was no
15 conversation with Mykola, the student?

16 A. No.

17 Q. Okay. And this employee meeting. Oh, so you said you had a
18 2-month meeting, you mentioned that it's a maintenance or a safety
19 type thing?

20 A. Yeah, Greg tries to talk about certain maintenance things.

21 Q. Okay.

22 A. How landing gear works or --

23 Q. Okay.

24 A. -- how the electrical system works on there.

25 Q. Oh, okay.

1 A. And then we invite all of our renters and we'll send out
2 e-mails to everybody to come to that.

3 Q. Okay, that's a good idea.

4 A. Yeah, the last one, I think, went 3 hours, so --

5 Q. Really?

6 A. Yeah. Everybody got really engaged in it.

7 MR. ROBERTSON: Okay. All right. Well, that's kind of all I
8 have.

9 BY MR. GALLO:

10 Q. I think I have two more questions. Who's responsible for
11 interviewing potential newly -- new flight instructors?

12 A. Myself, Kat, and Greg.

13 Q. And then who makes the decision to hire that flight
14 instructor?

15 A. We kind of all do, as a group.

16 Q. Are you getting a lot of applications in recently?

17 A. We've gotten applications for the past year, I bet you,
18 constantly.

19 Q. Okay. So there's no shortage of applications?

20 A. No, there isn't.

21 Q. Who is Rody Elder's flight instructor? You mentioned he just
22 received his CF double I.

23 A. Rody did.

24 Q. Yes. Who was his flight instructor?

25 A. I can't remember. I don't remember.

1 Q. Was it somebody at Rocky Mountain Flight School?

2 A. Yes, yes.

3 Q. Okay. Do you know if Rody Elder has failed any check rides?

4 A. I'm not aware of any, no.

5 MR. GALLO: Okay. Hal, do you have any other questions?

6 BY MR. ROBERTSON:

7 Q. So Rody's flight instructor for the CF double I, we don't
8 know, but we could find that out, right?

9 A. Who his instructor was?

10 Q. Yeah.

11 A. Yeah, we could find out.

12 Q. Okay. All right, who would we -- would we talk to you to
13 request that or --

14 A. Yeah, or we have in the counter -- he actually just got his
15 MEI, as well. I'm not sure who that instructor was, either. It
16 might've been Brian, but I'd have to look it up.

17 Q. Well, I could just ask Rody, I guess.

18 A. Ask Rody, yeah.

19 Q. So is he here today?

20 A. He is not.

21 Q. Okay.

22 A. He actually is no longer with us.

23 Q. Oh, so he's not. Okay.

24 A. No, he decided to terminate his employment.

25 Q. So he quit?

1 A. Yes.

2 Q. Huh, interesting. All right. Do you remember when he quit?
3 Was it this week, last week?

4 A. What's today, Thursday? Yeah, I think it was this week,
5 through an e-mail.

6 Q. So somewhere around between now and the 29th?

7 A. Well, today's the 1st.

8 Q. Right, so --

9 A. Yeah, probably.

10 Q. Yeah, August 29th was Monday.

11 A. Okay, yeah.

12 Q. The beginning of the week was the 28th, so the 28th, okay.
13 Okay, did he give a reason why?

14 A. I don't know.

15 MR. ROBERTSON: All right. Okay. That's all I have.

16 BY MR. GALLO:

17 Q. I was thinking about another area. You still fly, right?

18 A. I do a little bit of contract flying.

19 Q. Okay. Let's see if you could answer this question. How do
20 you know if flight instructors are evaluating renters and/or
21 student pilots on decision making?

22 A. Probably by their performance and how they react to certain
23 situations.

24 Q. I'm just thinking whether I should ask more questions.

25 A. That's fine.

1 Q. Well, let me ask this, let me start out with this one
2 question. During takeoff, during a takeoff roll in any aircraft,
3 how do you know the airplane is developing engine power?

4 A. Probably by the RPMs, you look at that and see if it's
5 accelerating at a normal rotation speed.

6 Q. And when do you look at that?

7 A. You know, I can't answer for other pilots, so I'm hoping
8 constantly, as they're going down the runway.

9 Q. Well, what's your technique, though?

10 A. Me, personally, I glance outside and look at my instruments,
11 glance outside and look at my instruments.

12 Q. And one of those instruments is what?

13 A. It's RPM, airspeed, oil pressure, oil temperature,
14 everything.

15 Q. I want to talk a little bit about carburetor icing. Do you
16 know how to determine that?

17 A. If your engine starts running rough, the first thing you do
18 is pull the carb, you know, and if it goes away, put it back in
19 and that should solve the problem.

20 Q. So there's a probability icing chart, have you ever seen
21 that? A carburetor probability icing chart.

22 A. As far as what temperatures that would occur at and the
23 moisture and everything?

24 Q. Right.

25 A. Yes.

1 Q. It indicates different hazard levels.

2 A. Correct. I think I've seen that just a couple times.

3 Q. Yeah, okay. So is carburetor icing dependent on your
4 airspeed?

5 A. Is it on airspeed?

6 Q. Is it dependent on airspeed?

7 A. No, it's mostly an RPM. If your RPM gets out of the green, I
8 guess you'd be slowing down in any case.

9 Q. Okay.

10 A. So I guess it would be.

11 Q. How about temperature?

12 A. Yes. Yeah.

13 MR. GALLO: That's all the questions I have. Harold, do you
14 have any more?

15 MR. ROBERTSON: No, I don't.

16 MR. GALLO: Do you have anything you want to cover that we
17 didn't cover, that you want to talk about?

18 MR. KRUMMEL: No. No, I don't think so.

19 MR. GALLO: Well, that concludes the interview. Thank you
20 for coming.

21 MR. KRUMMEL: Okay.

22 MR. GALLO: And we'll go off the record here.

23 (Whereupon, the interview concluded.)
24
25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: CESSNA 172N ACCIDENT NEAR
 BROOMFIELD, COLORADO
 ON JULY 30, 2022
 Interview of Charlie Krummel

ACCIDENT NO.: CEN22LA362

PLACE: Broomfield, CO

DATE: September 1, 2022

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.

A black rectangular redaction box covering the signature of David A. Martini.

David A. Martini
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of: *

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CESSNA 172N ACCIDENT NEAR *

BROOMFIELD, COLORADO *

Accident No.: CEN22LA362

ON JULY 30, 2022 *

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Interview of: MYKOLA SIMUTKIN
Student Pilot

Rocky Mountain Flight School
Broomfield, CO

Tuesday,
August 23, 2022

APPEARANCES:

MITCHELL GALLO, Air Safety Investigator
National Transportation Safety Board

HAROLD ROBERTSON, Avionics Inspector
Federal Aviation Administration

I N D E X

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I N T E R V I E W

MR. FRIGO: This is an interview pertaining to Accident Number CEN22LA362, Cessna November 6587 Echo, and this is the interview on August 23rd of 2022 with Mykola Simutkin, and in attendance is Harold Robertson from the Federal Aviation Administration, Denver FSDO.

INTERVIEW OF MYKOLA SIMUTKIN

BY MR. GALLO:

Q. Mr. Simutkin, thank you for joining us. To start out with, can you give us your flight background?

A. Okay. I am student pilot since September last year. I am foreign and that is why I received permission from TSA through FTSP system and by this permission, my CFI, Rody Elder, only, and only I be able to study fly only on Cessna 172 by this permission. And for now I have 78.7, if I'm not wrong, logged flight hours. I plan my check ride in September, now I -- since, it will be later, and I was on the last of my lessons before the check ride and we -- because of this, my CFI, Rody, like works for soft land, short land, like for maneuvers, for a check ride maneuvers, and that is my background.

Q. Okay. And why did you choose to obtain lessons from Rocky Mountain Flight School? There's other flight schools. Why did you choose --

A. Okay.

Q. -- Rocky Mountain Flight School?

1 A. Just in case, because my initial idea was fly a helicopter
2 and only one school helicopter here in Heli-Ops and this school is
3 the same building in Rocky Mountain. And I was, in last August,
4 in Heli-Ops and they told me that huge queue because of the
5 shortage of CFI, like six more months, and I was disappointed
6 about it and I go to check with next door school about the fixed
7 wings ability to fly. And that guy told me there's a queue, as
8 well, but a month or two. That is why I put in my name in waiting
9 list of Rocky Mountain Flight School and started that next, just
10 in case. I'm not searching any school of flight.

11 Q. So it was the location, it was close by the helicopter
12 school.

13 A. Yes. Only that is the reason.

14 Q. Okay. And when you went to Rocky Mountain Flight School, how
15 -- did you have to wait to get your first lesson? Was there a
16 wait time?

17 A. My wait time was 3 weeks, if I'm not wrong, and first CFI, it
18 was not Rody, it was different guy and they not want to go through
19 the system, FTSP, for my approval as a foreign student and
20 switched me to Rody and with Rody, I very quickly to sort it out,
21 like 5 days and end of September, 23 of September, if I'm not
22 wrong, I received permission from TSA and started my lesson with
23 Rody.

24 Q. Okay. And did you go -- did you just fly with Rody or did
25 you fly with other -- another instructor?

1 A. I'm unable to do that. Based on this permission of TSA, I
2 can't -- I'm able to study only with Rody, only one CFI, only this
3 kind of plane, no Piper, no different kind of plane and no other
4 CFI.

5 Q. Okay. And on November 6587 Echo, have you -- have you done
6 slow flight maneuvers?

7 A. At that date or before?

8 Q. Any time during your training.

9 A. Yeah, of course, I -- a lot of -- I have a lot of logged
10 hours exactly this plane, I like this plane, and yes, slow
11 maneuvers, we -- we did it before.

12 Q. And how do you set up the airplane to do a slow flight
13 maneuver?

14 A. Slow flight. For slow flight maneuvers, it should be full
15 flaps, if I'm -- I'm sorry, like sometimes already gone and I'm
16 not like hundred percent sure, but for slow flight it should be
17 full flaps, it should be speed like 55 knots and I should turn
18 left or right, like for five, angle of turn is five, five degree.

19 Q. Okay, so it's a five-degree bank maximum --

20 A. Yes.

21 Q. -- for slow flight? Are you using 30 degrees or 40 degrees
22 of flaps?

23 A. Forty.

24 Q. Okay. And how much power do you have to have to maintain --

25 A. Slow flight?

1 Q. Yes, with straight and level 40 degrees of flaps.

2 A. I should set up the 55 knots, that is the power I should
3 adjust by the proper airspeed.

4 Q. So the power tachometer is indicating what, 2,400, 2,500? Do
5 you recall how much power you need?

6 A. I focus it for speed.

7 Q. Okay.

8 A. I cannot tell you exactly what it should be in slow -- in the
9 tachometer.

10 Q. During the slow flight maneuver, do you perform any type of
11 climbing in slow flight with 40 degrees of flaps?

12 A. I should keep attitude, like go, as I remember, I should keep
13 the same attitude.

14 Q. So the same altitude, but --

15 A. Yeah.

16 Q. -- there is no climbing involved with slow flight?

17 A. Yes, no climbing.

18 Q. Have you ever tried climbing the airplane with 40 degrees of
19 flaps at altitude?

20 A. On slow flight or --

21 Q. Any time. If you remember.

22 A. Give me a second, I'll try to remind scenario of what is
23 possible. Only one scenario, I say no, it's go-around and -- but
24 that not happen before because I'm normally landed in short for 20
25 flaps degree and only for soft field it's 40 and I don't remember

1 that I can climb with 40 flaps. Maybe it was, but I not remember
2 right now.

3 Q. Okay, so you don't remember trying to climb with 40 degrees
4 of flaps?

5 A. Yes, correct.

6 Q. In any maneuver?

7 A. Yes, correct.

8 Q. Okay. And on normal landings, did you use 40 degrees of
9 flaps?

10 A. Hold on, please. I remember stall. Stall is -- I remember
11 maneuvers where we imitate stall for takeoff and this stall -- no,
12 and this stall, it should be -- it should be full flaps, correct.

13 Q. So 40 degrees of flaps you're using?

14 A. Forty degrees of flaps, if I'm not wrong. Maybe I'm mistaken
15 because there's two type of stall, takeoff and landing stall and
16 different is power on or power off and flaps from a landing, it
17 should be 40 for takeoff -- I not remember. Maybe not. Sorry.

18 Q. Okay, going to the stalls, how do you change your flaps to
19 recover from a stall?

20 A. Yeah. To recover, do you mean -- okay, after next stall, it
21 should be step by step and as I remember and my CFI told me, it
22 should be only one positive altitude and positive speed. Only
23 this case, I can do retract, step by step, flaps. Not immediately
24 and not -- and not full of them, only step by step and only in
25 both of this condition, positive attitude and -- altitude, ground

1 and positive speed is -- growing (ph.) of speed in this case.

2 Q. Okay, so if you have 40 degrees of flaps, how -- and you have
3 a positive rate of climb, what do you - what, do you reduce the
4 flaps and you go from 40 to 30?

5 A. Yes.

6 Q. And then to 20?

7 A. To 20. I mean step from 40 to 30, 30 to 20, 20 to 10, 10 to
8 0.

9 Q. Okay.

10 A. Like that.

11 Q. And do you normally use 40 degrees of flaps on landings?

12 A. Not, not. For normal landings I use 20 or 30. Like my CFI
13 told me it is enough and I feel the same, it's more or less than
14 that. I mostly fly in good condition, like calm or a small wind,
15 like my personal limitation is 10, 10 knots. It's a gust. Gust.
16 So like 40, I use it before on the beginning, but on the end, like
17 20 or 30. Only for soft landing we use it, or short landing we
18 use it, 40. It's especially before check ride we did.

19 Q. Did Rody Elder ever tell you not to use 40 degrees of flaps?
20 Did he caution you any reason not to use 40 degrees of flaps?

21 A. No. He told me like for -- if it's okay for 20 or 30, you
22 can use 20 or 30. If you require 40, then use 40. Sometime, but
23 it's rare, I use 40. Mostly 30 or 20, it was okay for me.

24 Q. Okay. In your flight training with Rody Elder, did he
25 discuss to you a positive transfer of controls?

1 A. Yes.

2 Q. Did you ever hear that?

3 A. Of course.

4 Q. And so what did he tell you about how to do positive transfer
5 of controls?

6 A. It should be three way, I control, you control, I control.
7 So it should like -- like it's called three-step confirmation.

8 Q. And what do you do when he says -- what does he tell -- how
9 does he tell you he's going to transfer the controls?

10 A. If Rody tell me he's on the controls, I should repeat your
11 flight controls and he repeats my flight control.

12 Q. And do you let go of the controls?

13 A. Yeah, I should go hands from the control.

14 Q. Okay. When you go on an instructional flight, is -- what
15 paperwork is reviewed? Do you have a squawk sheet, maintenance
16 records, flight log, what -- does anybody check that information?

17 A. Maintenance. I know that certificate, aircraft certificate
18 inside, I know the registration inside, but honestly, I didn't
19 check before each flight.

20 Q. Is there any kind of paperwork like that? When you get the
21 keys, is there a sheet listing previous problems on the airplane?

22 A. Sometimes. I have two cases, if I remember, the previous
23 pilot had some marks about some issue, for example, beacon light
24 not working. And when I saw this one, I check it, I told my CFI,
25 you see that it does not work, not beacon. On the right-hand is a

1 beacon.

2 Q. Navigation light?

3 A. Navigation light, navigation light. And in that case, Rody
4 told me we have VFR, it's not at night and we can fly with that.
5 I remember that previous pilot marked that. One time it was
6 another issue, I don't remember exactly what is the issue, but I
7 check it, but it not -- it not true, it's working.

8 Q. So there's paperwork that comes with the keys that you could
9 review, is that correct?

10 A. If the pilot before me marks something, yes. If not, I
11 cannot receive information just from previous pilot.

12 Q. Well, is it -- how do you receive the information, is it on a
13 piece of paper?

14 A. Yes. Normally, I received like -- this is a book check, how
15 it's called, where's the procedure.

16 Q. Checklist?

17 A. Checklist, yeah. I see checklist, book of checklist on the
18 table and plus some paper, this information about how many hours
19 in, how many hours out, who's instructor, what is the time, some
20 information. And on that paper, it's getting like several papers
21 from previously, for me, for next flight and if I look for that, I
22 can find for previous pilot. Maybe, maybe not. This can be or
23 can be not in the same package.

24 Q. During your flight training, did Mr. Rody Elder tell you not
25 to use 40 degrees of flaps?

1 A. No, he didn't tell me that.

2 Q. He never gave you a limitation, just only use 30, is that
3 correct?

4 A. No, it was my limitation, like it was my decision which
5 degree, it always was my decision. Sometimes I decided for myself
6 that maybe this 40, I will be more soft landing, because landing,
7 for me, is the hardest part and Rody didn't tell me anything about
8 it. It was my decision all time.

9 Q. Okay.

10 A. But not -- I'm sorry, but not for soft and for short, for
11 short and soft, I must have 40 degree.

12 Q. And he told you to use 40 degrees of flaps for short and soft
13 landings?

14 A. Yes.

15 Q. Let's go to the day of the accident.

16 A. Yeah.

17 Q. Can you tell me how that instruction started and what you
18 did?

19 A. It was normal, a normal flight. I go for pre-check, for
20 preflight. I take my checklist, go check, as usual. Nothing
21 finded (sic), like everything's fine, it was full temp. Because
22 it's a short flight I tried to fly on the morning, as early as
23 possible before like turbulence and something like that, it's more
24 easy. And oil, if I'm not wrong, is between five and six or five
25 and half, so -- and no issue I found before my pre-check. And

1 like middle of my pre-check, come in Rody. We discuss what we
2 should do and go to taxi and to takeoff.

3 Q. And what was the plan, was it -- were you going to do air
4 work or you were just going to focus on landings, takeoff and
5 landings?

6 A. Focus on landing because my previous lesson shows that soft
7 field landings is my weakness. Like I am okay with manual (ph.)
8 spot landings.

9 Q. So then how many takeoff and landings did you do and what
10 kind did you do before the accident?

11 A. It should be in my logbook. I remember three, four, maybe.
12 First time it was Rody, he proposed me to show how -- because
13 last, my training, it's not so good landings, myself, and I agree
14 and Rody show me how it should be. First time for -- with touch
15 and go and second in short. Maybe two more I tried myself.
16 Second, it was not good, so more or less okay, and if I'm not
17 wrong, for fourth one, it's better.

18 Q. Okay. And was the first one a normal landing, was it a soft
19 field landing, a short field landing?

20 A. All of them soft field landing.

21 Q. So all that day was soft field landings?

22 A. Only soft field landings.

23 Q. And every one you were using 40 degrees of flaps?

24 A. For all of that landings, 40 degrees of flaps.

25 Q. Even the one that Rody demonstrated to you, the first one?

1 A. Yes.

2 Q. And were they touch-and-go's or they were full stop?

3 A. Touch-and-go's only.

4 Q. In your training for takeoff and landings, did you ever do a
5 full-stop taxi back or were they always touch and go?

6 A. Not always. Sometimes we use full stop in Longmont, as well,
7 but that day only -- mostly touch and go, it like save time a
8 little bit. But sometimes it's full stop.

9 Q. Okay. For the accident approach and landing, can you
10 describe what happened there?

11 A. Okay. And this accident landing, you mean?

12 Q. Correct.

13 A. Yeah.

14 Q. Yeah, so the approach.

15 A. Yeah, we had final approach at my altitude, that my, like,
16 final should be -- was okay and unfortunately, I have another
17 weakness, that I not always on the middle of the runway.
18 Sometimes in the left or right a little bit, not so easy handle
19 for me. In that case, I was on the right of runway, close to the
20 grass, close to the grass and I don't remember exactly altitude,
21 it's maybe 20 feet on the -- from the ground, and Rody told me go
22 around because I'm on the right of runway, not on the middle. Go
23 to the grass, it's kind of dangerous to land on the grass. I put
24 full power, heat converter in and like I hold my -- I remember
25 very clear, for me, I hold my hand on the flaps like what I should

1 do, I know that I cannot do switch immediately and I waiting for
2 altitude indicator and for speed indicator, it should be positive.
3 And if not positive, like I hold it and not do it. But before
4 that, when I full power and keep it, Rody checked me, like told me
5 full power because it looks like airplane doesn't have -- doesn't
6 have full power and Rody put your hand over my hand just for
7 checking and it was for full power.

8 And when I hold it like -- I don't -- my decision, should I
9 take flaps or not, because it's not positive altitude and speed
10 indicator and we saw that like on the ground effect, we not -- we
11 was on the ground effect and not soft landing and a little bit
12 descent. Rody told me my flight control. I don't remember what I
13 repeat, honestly. Maybe I repeat your flight control, maybe
14 notice like kind of stress situation.

15 I not remember where is my hand, on the flight control or
16 not, but absolutely sure I lose pressure of flight control. Maybe
17 I keep it, maybe not. Honestly, not remember that. And after
18 that, Rody, when he took control, he switched flaps from 40 to 30
19 and after that, from 30 to 20. But it's not happened and we,
20 like, flew on the -- from the right to the left on the airway and
21 we lose our altitude and I crash. I don't know how to describe
22 the crash.

23 Q. Okay. Going back, you said you added full power. Did you
24 look at the tachometer gauge and see what the engine speed was?
25 Where was the needle, was it at the maximum, 2500 RPM?

1 A. No, I'm not looking because like I always put full throttle
2 and I'm like focused to flight control for airplane because for me
3 so close to the ground, it's dangerous for me, I'm not so
4 experienced of that. I'm not looking for the tachometer for the
5 indicator, I'm looking for speed indicator and for altitude for
6 about the flaps.

7 Q. When you added power, you pushed the control all the way
8 forward, the throttle control?

9 A. When I pushed -- sorry, say again?

10 Q. When you added power --

11 A. Yeah.

12 Q. -- how much power did you add?

13 A. Maximum. Full. And the CFI control me after that because it
14 looks like I didn't push full, but I'm sure if Rody told me full
15 power, I told him yes, it's full power and he double-check it.

16 Q. Did you hear the engine noise increase when you did that?

17 A. I think, yes.

18 Q. And what was the mixture setting, did you -- was it full
19 mixture, full rich or was it still --

20 A. No, it was same it was before on the lane where we setting
21 the mixture. I didn't change it during the flight. I set it
22 before flight, before takeoff, before first takeoff, I set it on
23 the lane up, as I know how to do that and I don't touch it
24 anymore. And Rody, as well.

25 Q. So to make sure control was out a little bit or where was the

1 mixture control? Was it full in or out a little bit?

2 A. It's like according to the checklist, it should be one inch.
3 And we keep it and just set it and it is for 1700, 1700 RPM.

4 Q. Okay. Do you remember what the airspeed was when you were
5 trying to climb out during the go-around?

6 A. Honestly, I not remember.

7 Q. Did you hear the stall warning horn come on?

8 A. No, no, it did not. I remember I didn't hear the stall
9 warning. Any sound, emergency sounds, any sounds like that.

10 Q. Did you ever -- well, let me go back.

11 A. Yeah.

12 Q. Where was the airplane at? I know it was on the right edge
13 of the runway.

14 A. Yeah.

15 Q. How high was it when he said go around?

16 A. Go around. Twenty feet, but it's -- it's more or less, it's
17 like close to the ground, but not so close.

18 Q. So it was about 20 feet above?

19 A. About. It's difficult to say exactly what is the figures,
20 but it looks like 20 feet.

21 Q. When you were training in the past, during landings, did you
22 ever do a go-around?

23 A. Yes.

24 Q. And in the past times was the airplane in the same position,
25 like on the right edge of the runway?

1 A. In this position, as well, yeah.

2 Q. The same position like this before?

3 A. I mean, on the right of runway or left of runway, go around,
4 yes, because it's my weaknesses and sometime Rody told me go
5 around for that, because of that. About altitude, I don't
6 remember exactly what it was before go-around, which altitude we
7 started to go around. That is why I cannot -- but I am sure that
8 it was my first time with the full flaps with 40-degree go-around.

9 Q. So this is the first time you did a full flaps go-around?

10 A. Yes.

11 Q. In any kind of training?

12 A. As I remember, yes.

13 Q. And on previous landings, you had the airplane sometimes go
14 to the right or left edge of the runway?

15 A. Yes.

16 Q. And in those cases you did the go-around?

17 A. Sometimes I can limit my airplane to the center or landing a
18 little bit right or left. Sometimes Rody told me go around, so go
19 around, it only when Rody told me, only if CFI told me go around.
20 I had to manage like airplane on the center, full engine. It
21 always was decision of CFI, not mine.

22 Q. So on the previous go-arounds, did Rody Elder, did he do the
23 go-around, take the controls or you did the go-around?

24 A. Only I, all time.

25 Q. So this is the first time he took the controls?

1 A. Because we lost altitude and before, we always climbing.
2 It's like it's not -- I was not surprised, go around, it was
3 before and I had full power and I waited where we should climbing,
4 but not, that is started to worry about a stress situation.

5 Q. Okay. And before the flight, was there any discussion of
6 previous problems with the airplane?

7 A. Problems? With whom?

8 Q. With the airplane.

9 A. No, discussed with whom?

10 Q. With Rody Elder.

11 A. No, Rody asked me about a flight, how is about the factor of
12 oil, how was preflight, I explained that nothing finded, that it
13 was fine, that's it.

14 Q. Was there a sheet in the airplane showing what the previous
15 problems were? Like, for example, lights or --

16 A. No, nothing. It's clear, it was only my paper, maybe another
17 paper, I don't remember exactly, but any marks from previous
18 pilots.

19 Q. And when the airplane hit the ground or runway, was the
20 engine still running?

21 A. Yes. I remember that I switch off the engine. Rody
22 immediately go out and I was a little bit shock, but I -- first,
23 what I did was switch off, master switch off, and go out from
24 airplane.

25 Q. And after the -- after everybody got out, what did Rody Elder

1 tell you happened?

2 A. Nothing. Nothing. I didn't speak with Rody. Rody, most of
3 -- first time he called somebody, I guess like some airport,
4 airport, flight school, insurance company maybe, I don't know, but
5 I just waiting and coming airport staff, coming police, ambulance,
6 firemen, and I didn't speak with Rody.

7 Q. Okay.

8 A. I understand that he's in stress, as well, and not best time
9 to speak about what has happened.

10 MR. GALLO: Okay, that's all the questions I have for now.
11 I'll turn it over to Harold Robertson.

12 MR. ROBERTSON: Great. Thank you.

13 BY MR. ROBERTSON:

14 Q. So going back to when you were preparing to fly, you
15 mentioned that you looked at the logbook --

16 A. Yes.

17 Q. -- or the -- so you had the logbook, you had the checklist
18 that you talked about.

19 A. It's not logbook, it's like normal checklist for Cessna.

20 Q. Uh-huh. Like a pilot operating handbook?

21 A. Yeah, it's what you should do before flight, step by step.

22 Q. Okay.

23 A. And I go through this one.

24 Q. Okay. Was there any other sheet that talked about the
25 maintenance status of the aircraft?

1 A. As I remember, this is a checklist, it's fixed with some
2 heart (ph.) --

3 Q. Um-hum.

4 A. -- cut on some sheet and that one has label, if I'm not
5 wrong, is maintenance. I guess it's maintenance label. But
6 honestly, I'm not focused for that label. I know that it was
7 here --

8 Q. Okay.

9 A. -- of this one, but if I'm not wrong.

10 Q. So did Rody look at that label or at that sheet?

11 A. I have no -- no idea, honestly. Sometime Rody took this
12 package, sometime put figures for me for speed up our process,
13 like what is hours for -- how it's called -- okay, the device, how
14 many hours, documents of each --

15 Q. Uh-huh.

16 A. -- sometimes, but I didn't know what did Rody about it.

17 Q. Okay. So you said when you were landing, in this preparation
18 for landing on the last, the last landing --

19 A. You mean accident landing?

20 Q. Yeah, the accident landing. What were your flaps heading?

21 A. Forty.

22 Q. Okay, you set that at 40?

23 A. Yes, I set 40 for pattern work, like just at 10, 20, 30, 40
24 for final.

25 Q. Okay, okay. Have you ever performed a -- so you have done a

1 go-around before.

2 A. Yes.

3 Q. You said that.

4 A. Yes.

5 Q. Okay. And did you use the previously -- the previous go-
6 around, 40-degree flaps?

7 A. No, I don't remember 40 with go-around, because for normal
8 landing, I normally use 20 or 30, it's enough for me.

9 Q. Okay.

10 A. That is why go around. I didn't have experience with 40 go-
11 around.

12 Q. Okay, all right. And then when was the previous time you
13 flew this aircraft?

14 A. Previous time?

15 Q. Yes. Not on the 30th.

16 A. Yeah.

17 Q. When was the previous date you flew the aircraft?

18 A. Five days before, less than 1 week before. I should check my
19 logbook, it clear show me, because I book only this airplane
20 mostly. You can see that it was 21st of July. And if you look at
21 my logbook, like all of previous flight.

22 Q. Okay, so the 21st of July is when you flew this aircraft
23 last?

24 A. Yes, yes.

25 Q. Was this the last time you flew?

1 A. Yes.

2 Q. Okay. What kind of flights were you doing, what was your --
3 what was your focus on the flight on the 21st?

4 A. The same, soft landing.

5 Q. Okay.

6 A. Maybe it was short, as well, short and soft, but soft landing
7 was most focused because it's -- I cannot do properly.

8 Q. Okay. What was your opinion about the engine power, the
9 engine performance during that flight?

10 A. It looked like same. For me it's difficult to say because
11 like I have some small flight experience.

12 Q. Um-hum.

13 A. Like before this landing, I -- I can say it's the same.
14 Nothing tell me that something's wrong, but only when we cannot
15 start climbing in this landing incident, landing.

16 Q. The accident flight?

17 A. Yes, accident plane since I fly, yeah. I started to be like
18 worried maybe engine sounds prone (ph.). Maybe not, I don't know.

19 Q. Okay, so on the flight of the 21st, did you do any touch-and-
20 go or did you do full stops or what was your -- what was typical?

21 A. I don't remember exactly, but it's mostly touch and go.

22 Q. Okay.

23 A. Full stop, of course, on the last one.

24 Q. Okay.

25 A. Twenty-first of July, something like that.

1 Q. And the difference between then and this time was you did a
2 go-around with full flaps?

3 A. Yes, 21st of July, I didn't go around with full flaps, yes.

4 Q. Okay. And on the day of the accident, you had done three or
5 four previous landings.

6 A. Yeah.

7 Q. What was the engine -- was the engine power the same?

8 A. For me it looks the same. Difficult to say exactly, but
9 maybe it's a little bit more time for on the runway to -- to catch
10 the proper speed.

11 Q. Um-hum.

12 A. Sixty for takeoff. But I'm not sure. I can say, based off
13 my small experience, it looks like the same for me.

14 Q. Okay. But on the accident flight, when you had put full
15 power --

16 A. Yeah.

17 Q. -- it seemed -- but you noticed the aircraft wasn't
18 performing --

19 A. Yeah.

20 Q. -- with the full flaps.

21 A. Yeah, I know it should. It cannot be immediately and Rody
22 tell me wait, it should be, but I waiting, I waiting when and my
23 question mark and I said when, when it started landing.

24 Q. Um-hum.

25 A. So only this one.

1 MR. ROBERTSON: Okay. Okay, that's all that I have, thank
2 you.

3 MR. GALLO: I don't have any additional questions. The way
4 we usually close it out, do you have anything that you want to say
5 that we didn't talk about or do you have any concerns?

6 MR. SIMUTKIN: No. For me it's a question mark, what has
7 happened. Is it fault of pilots, of me and Rody, or is it maybe
8 some issue of airplane? For me it's a question mark.

9 MR. GALLO: All right. Well, that concludes the interview
10 and thank you for your time.

11 MR. SIMUTKIN: Thank you.

12 (Whereupon, the interview concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: CESSNA 172N ACCIDENT NEAR
 BROOMFIELD, COLORADO
 ON JULY 30, 2022
 Interview of Mykola Simutkin

ACCIDENT NO.: CEN22LA362

PLACE: Broomfield, CO

DATE: August 23, 2022

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.



David A. Martini
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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CESSNA 172N ACCIDENT NEAR *

BROOMFIELD, COLORADO *

Accident No.: CEN22LA362

ON JULY 30, 2022 *

*

* * * * *

Interview of: ALEC VANDEWEERD
Renter of Aircraft

via telephone

Wednesday,
August 31, 2022

APPEARANCES:

MITCHELL GALLO, Air Safety Investigator
National Transportation Safety Board

HAROLD ROBERTSON, Avionics Inspector
Federal Aviation Administration

I N D E X

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I N T E R V I E W

MR. GALLO: This is an interview with Alec Vandeweerd regarding accident investigation for November 6587 Echo. Today is August 31st. With us is Harold Robertson from the FAA Flight Standards District Office, Denver, Colorado. Alec, do we have your permission to record this conversation?

MR. VANDEWEERD: You do.

INTERVIEW OF ALEC VANDEWEERD

BY MR. GALLO:

Q. Okay. To start out with, can you tell us about your aviation background and experience?

A. Yeah, absolutely. I'm currently an instrument rated pilot; at this moment, I have about a hundred and 85 hours, somewhere around there. I started flying in 2020 when I got my private and then in 2021 I got my instrument and I'm flying towards a commercial.

Q. And where did you do your training at?

A. I received my licenses and have done most of my flying at Kalamazoo Airport in Michigan and then I've just been hour building at Rocky Mountain Metro. I've never taken any check rides in Colorado, I've never really had any instruction, just the instruction in Metro that is necessary to get checked out in make and model aircraft at Metro.

Q. And why did you choose Rocky Mountain Flight School to rent those aircraft?

1 A. So I live in Silverthorne, Colorado, so Rocky Mountain Metro
2 is the closest airport, along with Centennial, but the prices were
3 more favorable at Metro.

4 Q. Okay. And so how long have you been renting aircraft at, I
5 guess, at Rocky Mountain/Metro?

6 A. It's been almost a year. I believe I got checked out in my
7 first Cessna airplane and I think it's going to be last year,
8 2021, around the October time.

9 Q. Okay. I guess you mentioned to us earlier you had an
10 incident on November 6587 Echo regarding some engine power loss,
11 can you tell us -- talk about that flight, the date and time when
12 that occurred?

13 A. Yes, absolutely. You want me to start from the beginning on
14 that whole day?

15 Q. Yes.

16 A. All righty. So we had a plan, we, as in myself, my
17 girlfriend, and my friend I've known for a long time, we had
18 plans, it was going to be an hour-building trip and we're going to
19 fly to Wyoming, this is on July 29th, it was a Friday, 2022. We
20 got down to Metro, this is going to be -- we probably arrived at
21 about 2 o'clock in the afternoon. We originally were going to get
22 in a 172 and fly to Wyoming. So we get in our first 172, I'm
23 trying to remember what the tail number is on that airplane. Is
24 that necessary at the moment, the first one that is not going to
25 be 87 Echo?

1 Q. Okay, the first one, can you at least describe the colors or
2 markings on the airplane?

3 A. Yeah, it's like white and magenta.

4 Q. Okay.

5 A. We did a preflight, got gas in that plane and we went to go
6 start it and it did not start and just ticked. Then I figured
7 maybe it was a battery issue, but I wasn't sure so I ran back in
8 to the flight school and Charlie was at the desk, who's now known
9 as Rocky Mountain Metro's manager. I asked him, I was like hey,
10 the plane won't start and he goes that's weird, someone just flew
11 it and I'm like oh, I don't know what to tell you, but you can
12 come out here and check it out.

13 So he comes out, then he goes try to start it again and then
14 I did and nothing happened. It was pretty much concluded that the
15 starter was fried in that plane. And that was my first ever
16 introduction to any kind of problem I've ever had with an airplane
17 there, but that seemed to -- I don't know if it -- that's what
18 began, but Charlie didn't seem to be in a great mood that day.

19 So from there I go hey, Charlie -- well, from there,
20 Greg Boom, who is -- then ended up being, came out in a little tug
21 and towed the airplane away, straight over to maintenance and that
22 was within probably 5 minutes of this problem happening and I go
23 hey, Charlie, we come from the mountains, it's about an hour and a
24 half away, every time we come down here we try to make our flights
25 worth it, do you have another 172 because we're planning to go to

1 Wyoming. Then he goes yeah, let me check, and then we found out
2 that 6587 Echo would soon be available and so I said great, we'll
3 take that, it's no problem. So he went back into the school where
4 they're going to fill out some paperwork and get like your hop
5 sheet ready with your name on it and everything, and that's when
6 we moved all our stuff over to 87 Echo. And then shortly he had
7 the paperwork ready and we were going to be on our way. We had to
8 get more gas in that plane, so we waited for Signature to come
9 over with the truck and fill up the airplane.

10 For the preflight, everything was fine and luckily, once all
11 that was finished the plane started and we were on our way. So we
12 taxied down to what should've been three-zero right. Of course,
13 this has already been a couple weeks now, so I'm kind of
14 overlooking my, my fact sheet here, but I don't want to
15 misinterpret anything, so obviously if I mis-communicate anything
16 that I did, try to remind me because it's just a simple -- I
17 probably just forgot.

18 So we're taxiing down to three-zero right, we always turn off
19 right toward the runway and do a run-up, and so everything's going
20 normal so far, passes the run-up, everything's fine. We cleared
21 to take off and I give the plane full power, that's when I -- I
22 initially had noticed, but kept to myself, that the plane was down
23 in power, but I continued to roll and then lifted off at 55 knots,
24 that's when we began to climb out there, and just when we began to
25 climb, it was quite apparent that the plane was not climbing

1 properly and that's when I initially -- my first instinct was to
2 richen the mixture because I thought maybe that the plane was too
3 lean. So I rolled the mixture knob in just a little bit, like
4 half, maybe quarter turning from this, and noticed that it was
5 giving me no more power. So then I rolled the mixture knob back
6 out to where I was and then quarter-turned it out to leave and
7 then I remember by about a half turn past where I already was, the
8 motor just wanted to quit right away.

9 So I rolled it back in to where, about where I was already,
10 because that's where I would always be able (indiscernible) at
11 Metro. And I noticed I was getting still no power and I'm trying
12 to think exactly what I did after that. So that's when we pretty
13 much noticed, or I noticed that there was something wrong with the
14 plane. But I'm trying to remember exactly how much time that
15 would -- had elapsed by this moment, but of course, I was full
16 power.

17 I was starting to lower the nose even, it's just by habit
18 because usually I remember when I take off in a 172, I'm going to
19 see 55 knots (indiscernible) and then you're going to see 60, 65,
20 70, you're going to really start seeing the 172 starts to climb
21 out of there, and it was not doing that. So I took a leaning
22 procedure which I remember mentioning was probably only -- it had
23 to have been less than a 10-second test there, where my goal was
24 to -- maybe it's a leaning issue, but right away determined it
25 wasn't. And then as all the time elapsed, which wasn't too much

1 time, but I noticed, after looking back on some of the facts on
2 the ADSB exchange, I was about 200 feet in the air at this time
3 above the runway and I noticed that pretty much any test I tried
4 which was leaning or, I mean, the throttle's already full, it's
5 not a complicated airplane, there wasn't too many things for me to
6 try this on, I just knew I had to think, I had to put the plane
7 back down onto the runway because luckily, I mean, I took the
8 9,000-foot runway that day and I looked down and there was still
9 room to land.

10 And then what was really the deciding factor was we were
11 still going 55 knots at this altitude and not even pitching up
12 anymore at this point and the stall horn began to trigger and you
13 could kind of feel like a sink rate (indiscernible), you could
14 feel the plane starts to kind of fall. That's when I just nosed
15 the airplane back down pretty good so I could -- just what you
16 would do to break like an intermittent stall, but unfortunately,
17 it was going to be a low altitude one if nothing was done.

18 So I nosed the airplane down back towards the runway and just
19 to gain airspeed, of course, and that's when we probably got the
20 plane maybe to 65 knots at that time, maybe 70, even, and it's
21 still full throttle here, and then (indiscernible) all the flaps
22 instantly and then by the time we were getting towards the flare,
23 we pulled the power all the way. I say we, I mean me. And then
24 landed the plane. And that's when the tower asked if everything
25 was okay and if we needed any assistance or something along those

1 lines, but that's when I taxied the plane back and I said we
2 didn't need any assistance but maybe we experienced some kind of
3 -- I was kind of confused at the time, momentarily, I just said
4 hey, maybe we're experiencing a leaning issue but we're going to
5 do another run-up and we're going to figure it out here and we're
6 going to want another departure, which we'll finish.

7 So I taxied back to -- it would've been -- I can't remember
8 the exact taxi lane, but I remember I taxied to kind of like a
9 parking area which would be in front of Signature, the FBO there,
10 and I did -- I remember they asked me if I was going to do a full
11 power run-up at that moment and I said negative because I looked
12 into the -- kind of like the general aviation parking where I was
13 going to go and do this run-up and I noticed there was people
14 walking around and there was people going to their planes and I
15 didn't want to do a full power run-up, that's just what I thought
16 at the time.

17 So when I went into the parking lot, I did a very thorough
18 run-up, probably for -- if I had to remember, I would say maybe 20
19 minutes there and we ended putting .7 on the airplane, but I would
20 say it was at least 15 minutes to 20-minute run-up because I --
21 I've never aborted a climb-out before in my life, I've aborted a
22 takeoff before, this was in Michigan with completely another
23 plane, but I never aborted a climb-out before, so it's something
24 new to me and I really wanted to go do another run-up just to
25 absolutely make sure I didn't miss anything. So I was really

1 going to do a thorough one here, so that's what I did. So about
2 15 minutes of run-up, I did a leaner and I did a richer run-up
3 originally, just to see if I could really notice like a big power
4 difference like in the wide open throttle, like climb power.
5 However, it wasn't a full-throttle run-up, I probably did maybe
6 2200 RPMs there, maybe 23, and I didn't notice much of a power
7 difference if I had the plane a little bit richer than what I
8 would have had.

9 And it checked out there and then I remember I leaned the
10 knob leaner than what I would've ran, but well outside the window
11 I would've ever had for takeoff power, just to notice, see kind of
12 where that main power cutoff would be and when I did go wide open
13 throttle, I would lean it, I probably leaned it, I don't know,
14 maybe only like a half turn to three-quarters of a turn past where
15 I would be, and I didn't notice any power difference there but
16 again, it's not full throttle, but it passed the run-up again,
17 anything I could do, it just seemed to hiccup or be down in power
18 in those lower RPMs, which would be like 22, 2300.

19 So I'm like hey, in my mind, it's a pass to the run-up, the
20 plane should fly. So I did. So in my mind, though, I remember
21 because I not only had a good pass of our first time but I
22 experienced the issues at full throttle, like wide open throttle,
23 so I kept that in mind. I think I do remember telling the tower,
24 though, hey, we're going to try it again, we may not even lift the
25 wheels off and if not, we're going to just go back to the Rocky

1 Mountain Flight School. And again, luckily it wasn't that busy
2 that day, that's why I was doing this. There are some mornings at
3 the school there -- I mean, this was the afternoon, but sometimes
4 they're extremely busy and I would not be testing my theory at
5 this point because there's really no time to do it, but luckily
6 this day there was not too many planes coming in.

7 So we got cleared to take off again and when I went full
8 throttle, within about 2 to 3 seconds I knew, it was doing the
9 exact same thing, it was down on power and I just could tell right
10 away. So I rolled for maybe 2 to 3 seconds and I was like hey,
11 we're not going to do this again. So that's when we went back to
12 the flight school. So do you want me to then continue on to what
13 happened after that?

14 Q. Yeah, continue.

15 A. All right. So we taxied back to the flight school and we
16 park it and at this moment, I just knew, I kept thinking about
17 Charlie because I -- I don't know. There's been days before this,
18 maybe 1 day, I've had -- not -- I've had altercations with him
19 where it's just not the most pleasant thing in the world for some
20 reason, like -- I like to think I'm a nice guy and all these
21 things, but for some reason, I even had my girlfriend say I don't
22 think he likes you and I go I don't think he does, either, I don't
23 know why, I mean, there hasn't been any moment in time where that
24 would be a factor as to why he wouldn't like me, but I don't know,
25 he's just never in the mood to deal with things that -- I mean,

1 some people don't like dealing with things they don't want to deal
2 with but I think that's just normal human nature. But when we got
3 back, I remember thinking, I'm like man, Charlie's really going to
4 love this story now, and when we got out of the plane I remember
5 looking directly at my girlfriend and I was like hey, Kate, I was
6 like, you need to be my witness when I go into this flight school
7 right now because I was like I can already tell, I already know
8 that he's not going to be happy for some reason, that's just the
9 feeling, because not only did we just have the starter issue on
10 the other plane, he didn't seem to like that at all, even though I
11 would love to think it's not my fault, it just happened to not
12 start and these things happen. But that's what I told her, that's
13 just kind of the state of mind I was already in, I just knew he
14 was not going to be happy.

15 So we go in to the flight school and again, this is -- so
16 when we had originally taxied that airplane out for the first
17 time, the one that ran, it was about 3:45 in the afternoon. So by
18 the time we got back, we put .7 on the airplane so probably at
19 this time it's around 4:30, and we're the only ones around and
20 they get out of there at 5:00, so I'm sure it's the end of the
21 day, potentially, he just wants to go home. But we go into the
22 flight school, my friend is with us, too. He just went in there
23 and sat in a chair and there's like some lounge area in there, so
24 he kind of just sat down, he's not a pilot, though, he didn't want
25 to be -- I don't know, he doesn't want to necessarily even be a

1 part of it, you know. But me and Kate went to the front desk and
2 I go hey, Charlie, and he was surprised to see us because we were
3 planning to go to Wyoming, of course, and I said hey, Charlie,
4 we're having a pretty serious problem with this airplane now and
5 he was pretty much, I don't know, along the lines of like "what
6 now," you know.

7 And I explained everything to him as the way I just explained
8 it to you, for the most part, probably in way more detail because
9 it was very fresh in my mind and I really wanted to tell him what
10 happened because looking back on it, it could've been a serious
11 situation, especially if we didn't have any more runway to land.
12 Luckily, we had the 9,000-foot runway that day, but if we would've
13 ran out of runway, there was going to be nowhere for us to go,
14 there was no way that thing was going to turn or do anything, we
15 were too low to the ground, but that's kind of the nutshell,
16 trying to portray it to him.

17 I was like hey, coincidentally, the plane like, it will pass
18 a run-up, that was one of the most important things I said to him
19 because I was like it passes the run-up with flying colors,
20 everything on the checklist, everything you do is going to pass,
21 but I was like I'm going to tell you right now, the plane has no
22 power at wide open throttle. And the reason I really kind of
23 tried to portray the message of "it will pass a run-up" is because
24 obviously, pilots, we're just going to do a run-up, you know,
25 that's all we're ever told to do, and then I'm pretty notorious

1 back at home, I do a lot of maintenance runs for my buddies'
2 aircraft back at home and I know a lot of those maintenance guys,
3 when they work on a plane, this is just what's running through my
4 mind at the time, I know that when they pick the plane, a lot of
5 time they're going to do a run-up because usually if a plane
6 passes the run-up, it should be fine.

7 So in my mind I'm like oh, if they give it to me, they'll
8 just do a run-up, they're going to notice it's going to pass and
9 then they'll just give it to the next kid for him to experience
10 exactly what I just experienced. So I was really trying to, like,
11 portray the message of like I'm going to tell you right now, we
12 did two run-ups, one was very thorough, rich and lean, and it's
13 not -- it's going to pass, but I'm like there's something wrong
14 with the plane at wide open throttle, it has no climb power or any
15 of that.

16 But before I could really get to that I leaned, he first --
17 one of the first things he did was accuse me of I didn't lean the
18 airplane properly and I remember telling him, I was like well,
19 Charlie, I was like I've taken off in this -- out of this airport,
20 you know, 15 to 20 times at this point, maybe even more, and I
21 have, in my mind, pretty good experience of landing and taking off
22 at higher altitude airports, like out of Laramie, Wyoming, they're
23 at 7,000-something. You know, I'm like, Charlie, unfortunately
24 I'm like I know for a fact it's not a leaning -- like not a
25 leaning procedure issue because I told him even what I did on the

1 climb-out where I went a little rich and a little lean, and then I
2 told him about the second run-up I did and I was like I can
3 absolutely rule out that it's not a leaning problem, it's just,
4 it's not, due to the things I just told you and the tests I ran,
5 it's not going to be a leaning problem. He said oh, well -- he
6 looked at my buddy sitting in the chair over there and he goes oh,
7 well, he was with you, he goes oh, you guys probably had a weight
8 problem.

9 And luckily for me, I guess -- well, unfortunately for him,
10 us pilots, we're always going to do a weight and balance, let's
11 say we're going across country and especially if we have a friend
12 with us or we're going to have full tanks or even your girlfriend,
13 for that matter, of course we're going to do a weight and balance.
14 So instantly I go well, unfortunately, Charlie, I did a weight and
15 balance and we were 97 pounds underweight, so I'm like it has
16 nothing to do with weight, either.

17 So he's really trying to push a message that it's everything
18 that I did and it has nothing to do with the plane, and that's
19 almost kind of like he was kind of -- the message he was pushing
20 with the first plane that had a starter issue, even though it's
21 absolutely impossible that that starter had anything to do with
22 me, I mean, it's -- the plane had problems, that's just the way it
23 goes. So after he pushed that message out, I was like yeah,
24 instantly I told him, unfortunately, we're 97 pounds underweight,
25 so it's not a weight and balance issue. He never even brought up

1 density because if you remember in my -- in my report that I
2 wrote, that day, specifically, that the altitude was low. So he
3 didn't even bring that up because that was not going to be a
4 factor at all, either, but trust me, he was going to bring up any
5 possible factor that it could have been where it wasn't the
6 plane's fault and it was my fault, it was pretty much the message
7 he was trying to push.

8 So after he figures it's not a weight and balance problem, he
9 looks at me and goes well, it's an old airplane, is what he said
10 to me, after all this, and I look at my girlfriend and I look back
11 at him and I'm like well, that's irrelevant, that has nothing to
12 do with pretty much anything. But I could tell at this point, I
13 remember telling Hal here, it was pretty much getting to the point
14 where like my girlfriend was going to nudge me on the hip, it
15 would be like let's just get out of here, like this is going
16 nowhere, this conversation's going nowhere with this guy, which is
17 sad.

18 But I was really in the condition where I felt like I really
19 had to tell this guy what had happened, like I cannot get him to
20 believe me for some reason, which again, you may be hearing this
21 and be like wow, that's pretty sad, which it is, but I'm -- trust
22 me, I'm just standing in this room really trying to plead my case
23 here. You can tell my girlfriend wants to leave, I'm sure my
24 buddy's like let's just leave, you know, this is not meant, the
25 day is not meant for us. But I remember just telling him hey,

1 Charlie, I don't know what to tell you, I was like I recommend
2 that this plane needs to get looked at, like I really would not
3 want anyone to get in this airplane, like this could've been
4 pretty bad for us, but I'm like luckily, we got the plane back on
5 the ground with no issues at all, but I remember just saying to
6 him like, if this was a student pilot, like on a student's solo or
7 something, like it could have been an interesting environment for
8 him.

9 So I remember just talking with my hands in the air, like
10 Charlie, like what else can I do? Like, I've never been in a
11 situation here at the school, never had problems with the airplane
12 but I was like I can tell you, like, it's unlucky that two planes
13 have given us problems, but I can tell you right now this plane,
14 like, should not be flown. And pretty much at that point he said
15 oh, okay, well -- he said you can fill this sheet out, then.

16 And again, I mean, I come from the school where -- in
17 Michigan we've never really had serious maintenance problems,
18 we're always, like, keeping those things checked out, you know.
19 I've never had a maintenance problem with a plane I've flown in at
20 a hundred 85 hours, maybe that's pretty good. And when he hands
21 me the sheet, I go what is this, he goes this is a squawk sheet, I
22 go I've never filled one of these out, what do I do and he goes
23 just read the directions. Okay. So my girlfriend was familiar
24 with it and we were looking at it and I was like okay, it makes
25 pretty good sense. Sign and date, tail number, I wrote probably

1 two paragraphs on there of exactly what I'm telling you today
2 about our experience, and again, there's probably more detail even
3 because it was fresh in my mind and I was really, really wanting
4 to make this thing as thorough as possible because I just didn't
5 want anyone else to have to experience what we had just done,
6 because again, like I can't stress that enough, it could've been
7 worse.

8 I remember just thinking, the second I taxied off that
9 movement area, I was like man, that could've -- for the exact
10 words, I remember looking at my girlfriend when I landed the plane
11 and I look at her and I go what the hell was that, was the first
12 thing I said. So if that has anything to do with kind of the
13 situation that had -- came about, it was different. So again, I
14 just really didn't want this to happen to anybody else, so I
15 thoroughly filled out a squawk sheet and I handed it to Charlie
16 and at this time it's probably 4:50, if I remember, it's about 10
17 minutes before they leave because by the time we were getting the
18 car after all this, they were all leaving, too.

19 So it was right at the end of the day there for them, and I
20 remember handing it to Charlie, I remember saying to him, I go
21 well, Charlie, here you go, sorry this happened, you know, I don't
22 know if I'm bad luck or anything but I was like there's a problem
23 with the airplane and I remember just telling him, I'm super happy
24 we took the 9,000-foot runway today because if we had not, there
25 was no way we were going around. So I was like we just wouldn't

1 have ended up on any tarmac anywhere, we would've been in a field
2 somewhere, there's no question about that in my mind. And then
3 from there, we were out of there and I don't know if you want me
4 to mention who else I noticed was in the room, but from there, we
5 left and we did not fly for the rest of the day that day.

6 Q. So after you handed Charlie the squawk sheet, did he say
7 anything else?

8 A. No, that was it. I don't know what he -- I don't know where
9 they put those sheets, where they place them or anything, but keep
10 it behind the desk, there's a lot of -- usually a lot of papers
11 there and yeah, no, I just handed it to him and we're out of
12 there, but he didn't really say anything else, he -- no.

13 Q. When you handed him the squawk sheet, what did he do with it?

14 A. Again, I don't really know what they do with them and I don't
15 notice what he did. I can tell you right now he didn't crumple it
16 up and throw it away in front of me, I can tell you that, but I
17 don't -- I'm not sure what he did. Maybe he just put it on the
18 desk. If I had to guess what I remember seeing, is maybe he just
19 put it right there on the desk and they kind of were ready to get
20 out of there, too, but I don't know, but I know -- yeah, I'll just
21 leave it there. I'm not sure what he did with it there.

22 Q. Was that the first time you ever saw a squawk sheet at Rocky
23 Mountain Flight School?

24 A. That is the first time I've ever seen a squawk sheet in --
25 honestly, it's the first time I was ever introduced to a squawk

1 sheet at any place where I've ever flown at. So if it wasn't for
2 that day and him handing me that sheet, I would probably still to
3 this day not even know what a squawk sheet is because I'd never
4 filled one out before. And I'm sure I've been introduced, or
5 talked about, as one before at my old flight school, but it's
6 something you'd brief when you're a younger kid and you go through
7 private training and you've got so much to think about, but I've
8 never had an issue with a plane, so like I've never had to be re-
9 reminded of what a squawk sheet is. So I'm sure if I had a
10 problem with a plane back at home, I would know what, obviously,
11 that sheet is but yes, coincidentally, I had no idea what a squawk
12 sheet was until that day, until he handed me one.

13 Q. Going back to -- let's go back to the initial takeoff
14 attempt. When did you first notice the power was reduced?

15 A. Pretty much the moment I gave it full throttle on the tarmac,
16 I noticed there was a power issue. Again, I say issue, but I just
17 -- I noticed there is a power difference, not I noticed this is a
18 serious problem at the moment. And the only reason I can pretty
19 much say I can say that is because it was just 3 days prior to
20 that I was in Michigan and my friend had bought a really nice
21 example of a 172, had a brand new paint job, new motor,
22 everything, it was just like -- just done like a major overhaul
23 and the thing was pristine and I had just flown that for about 8
24 hours. I flew to Traverse City, flew my family, so I had three
25 people in the plane, a full case. And so I was very familiar of

1 what a 172 should feel like with three people in it, including the
2 pilot and full tanks, like we were just probably a hundred pounds
3 underweight, same exact example. Of course, we were at sea level,
4 but that thing was just a pristine example of what a 172 should
5 feel like and again, this was just 3 or 4 days prior to me flying
6 this 172 at Metro. So when I got in that plane at Metro, the
7 second I went full power, I'm like oh, man, like there's --
8 there's a big difference here between this 172 and that one I just
9 got done flying just a few days before.

10 Q. And so how do you know there was a power issue?

11 A. I could just feel it, it was more of the seat of the pants.
12 I remember Charlie asking me, he goes what was your RPM at and I
13 go honestly, I don't know, because I'm always, obviously, just
14 kind of staring at the airspeed, I'm waiting for my liftoff speed
15 to reach and then I'm going to come -- but it wasn't sputtering,
16 it was running -- it wasn't like -- there was no hiccup in the
17 motor and it wasn't necessarily sputtering.

18 So like I didn't -- it wouldn't be something you'd see the
19 RPMs jumping around, it was none of that. The RPMs would've been
20 smooth, but I just -- by kind of the seat of the pants, I could
21 just tell -- usually you can feel like a good pull in your seat a
22 little bit and you're used to maybe even seeing the lines of the
23 runway coming at you a bit faster, but I remember it all kind of
24 taking a while and I'm like yeah, I could just tell the thing was
25 down on the power and I guess that was just how I could tell.

1 Q. So you didn't see the -- you didn't look at the tachometer at
2 all in your takeoff roll?

3 A. I did not look at the tach in that (indiscernible).

4 Q. Do you ever include that in your scan during your takeoff
5 rolls?

6 A. I have since.

7 Q. Okay. What was the configuration of the airplane as far as
8 flap setting for your takeoff?

9 A. It was clean.

10 Q. Okay. Can you talk about what your procedure is for leaning
11 the engine and who taught you that procedure?

12 A. Yes. So in that specific 172 pilot operating handbook, and
13 with the -- you always -- at Rocky Mountain Metro you have -- you
14 get your hop sheet that they print off and then they give you a
15 color-coordinated like checklist/book, it's pretty in depth. It
16 has emergency, it has everything that you would need. It's got
17 your preflight procedures in there, how to walk around the
18 airplane, everything, and per the book for that 172, it tells you
19 before you begin to taxi, it tells you to lean to an inch, so
20 that's always what we do.

21 And then in the 152s that we fly, when you're doing a run-up,
22 it says lean for best power when you're doing like a run-up. So
23 it will say -- it would say throttle, 1700, this is a 152, I'm
24 referring as an example. So it will say throttle 1700 and then
25 someone will take a pen and cross that off in pen ink and it will

1 say full throttle in pen, someone will write that in. And then
2 someone will also pen in lean for best power. So okay, in the 152
3 someone penned that in, so that's what we do, on a full -- with a
4 full throttle and we'll lean for best power, which usually ends up
5 being an inch. And in the 172, no one has to hand any of that in.

6 So if I remember properly, it will say throttle 1700, and
7 then it will just have you do your run-up and it will say lean for
8 -- it will say enrich for low altitude, which is -- man, I'm
9 trying to remember what that book said, it's either 3500 feet or
10 below or 5,000 feet or below, but we're above 5,000. So in that
11 book, pretty much all it tells you is to lean to an inch. And a
12 week before this, maybe a week and a half, me and Rody flew a 172
13 together. I had just recently got checked out in 172s at that
14 airport specifically so I can fly the 172s, and it says lean for
15 an inch and I recall leaning to an inch at the run-up and I go
16 hey, Rody, is that an inch to you, he goes yeah.

17 It's a pretty basic procedure of what they want you to do.
18 And in that book specifically, for 87 Echo, it does not say full
19 throttle, lean for best power, it's not in that, so I lean to an
20 inch. And then if I'm doing a run-up and I notice there's a
21 hiccup or anything, then I'll change the leaning procedure but
22 that's how I lean, that's how I lean the airplane that day.

23 Q. And so going back, who was the flight instructor that checked
24 you out in the 172 at Rocky Mountain?

25 A. Rody Elder.

1 Q. Okay. And then for the 172, specifically, 6587 Echo, you
2 lean by moving the mixture control by a certain measurement, like
3 an inch?

4 A. Yeah, an inch.

5 Q. All right. Does that airplane have an EGT gauge?

6 A. It does.

7 Q. So why aren't you leaning to the EGT gauge, then?

8 A. So how I've always been taught, the lean for EGT would be --
9 yeah, at cruise power, or peak, and then I always go rich of peak,
10 especially because they're not my airplanes and I used to fly
11 airplanes back at home for -- of course, someone who owns the
12 airplane and is going to tell you to obviously lean rich of peak,
13 so that's always what I've done, especially when I'm in the air,
14 flying long distances, that's what I'm always doing. I've never
15 been taught, especially at Metro, ever to lean via the EGT on the
16 ground.

17 Q. Okay. Do you know if this engine was past TBO?

18 A. Say that again.

19 Q. Do you know if the engine on 6587 Echo was past TBO?

20 A. Can you define what TBO is?

21 Q. Tango Bravo Oscar, so that's time between overhauls.

22 A. So in those sheets that we receive, all of that information
23 is on there. I don't know if the overhaul information is on
24 there, but you have like a hundred hours section, it has like a
25 DOR section, altimeter, all that stuff, and I remember looking at

1 it that day and I remember it had about 8 hours until its next
2 100-hour inspection.

3 Q. Okay.

4 A. But I mean -- yeah, I mean, if it was over its overhaul time,
5 I don't even think that's information that's displayed to us
6 pilots unless we were to dig into the -- all the maintenance
7 records and stuff, which I did not do.

8 Q. Going to your first run-up, can you talk about how you did
9 the run-up on 6587 Echo before your first takeoff, yeah, before
10 that first takeoff?

11 A. Yes, of course. I do it via a checklist which is not in
12 front of me, so if I were to say anything that's not on the
13 checklist, I mean, I don't know if that's going to like
14 incriminate myself, but I can tell you that I just do it via the
15 checklist, exactly how the checklist says.

16 Q. Right. So when you did the run-up, what did the engine sound
17 like?

18 A. It was completely normal.

19 Q. Okay. And on the takeoff, your first takeoff, what did the
20 engine sound like? And feel like.

21 A. What it sounded like is maybe another thing, I mean, of
22 course, we're flying with the old -- the old 820s with pretty good
23 sound reduction, but it sounded -- I remember on my second run-up,
24 I brought it to 2300 RPMs and it sounded very like clean and
25 smooth, honestly. And then I remember, like, I would go -- when

1 you would have the throttle wide open, so pushed all the way in,
2 full throttle, that is when you would notice that there was a
3 problem. I don't know if it was getting bad fuel somehow, not as
4 in there was water in the fuel, but maybe -- because like -- I can
5 stay and do a whole other story of why I might think like that,
6 but I know that it just seemed like maybe it was -- how do I
7 explain it?

8 I don't want to say pre-detonation (ph.) or anything like
9 that, but it wasn't hiccupping super bad and it wasn't like -- it
10 wasn't perfectly smooth, but it wasn't very noticeably like rumble
11 or like hiccupping or anything because if it was, I would've never
12 even took the thing off and I would've aborted the roll, but it
13 was kind of just in that in-between where oh, I can tell it's down
14 on power because this thing's pulling less than a 150 would at
15 this altitude, that was another kind of reason why I knew it was
16 down on power, like it's just not pulling like a 172 should, but
17 it wasn't -- yeah, it wasn't like noticeably like picking up or
18 anything like that.

19 Q. So you didn't have a rough-running engine on the first run-up
20 or during the takeoff roll, no backfiring?

21 A. No backfiring. No issues on run-up, but again, just when it
22 was full power for the first takeoff roll. It just was down on
23 power, I guess is just what I can say. At full throttle,
24 something with the motor at full throttle, it was down on power.
25 It almost seemed like if you were to run it up to 2300 RPMs, that

1 would have more power than if you pushed the throttle in another
2 quarter inch to full, it would lose power if you did that, that's
3 what it -- because again, like at 2300 RPMs on a run-up it felt
4 fine, like almost felt just normal, but if you were to then push
5 it in farther to full throttle, the motor would lose power.

6 Q. Okay. So after 2300, it sounds like it would peak at 23 and
7 then decrease after 2300 RPM.

8 A. The reason I say 23 is because I vividly remember putting the
9 motor to 23 on my second thorough run-up, but I wasn't going to
10 give it any more, just because kind of people were walking around
11 and stuff. I just didn't want to like -- I didn't want to do a
12 full throttle around there.

13 Q. On your first --

14 A. But I remember just trying to get to 23 is fine.

15 Q. On your first takeoff attempt, what was the wind direction?
16 Did you have a tailwind or a headwind?

17 A. Definitely a headwind. I remember it not being particularly
18 windy that day. I cannot remember what direction it was from.

19 Q. Okay. On your first takeoff, if you have a feeling that the
20 engine is down on power and it's accelerating probably as much as
21 a 152, why did you continue the takeoff?

22 A. In my mind, when I pushed -- again, when I pushed the
23 throttle in I noticed maybe there was a lack of power, but I've
24 never flown that specific 172 before. I know I just flew a really
25 pristine one. It didn't ring a bell in my mind that this thing is

1 dangerously low on power, it still definitely felt like it was
2 going to take off at the time, when I was rolling, and now that
3 you asked headwind or what direction, I -- if I were to say, it
4 was probably straight down the runway because by the time I was
5 200 feet in the air, we weren't blown any direction, either left
6 or right of center line and I remember the plane not crabbing at
7 all, so it was probably -- it was probably light wind that day.

8 But just when I -- from my instincts and how I fly, I just
9 can tell you, when I pushed in I maybe noticed a little bit down
10 on power, but it didn't frighten me in the sense that this is
11 dangerous, yet. I didn't get that sense at the time. I didn't
12 get it until I was getting into the air is when I noticed oh, this
13 is now an issue, which happened to be by the time I was getting to
14 200 feet in the sky. So even when I rolled, it started to take
15 off and like, I was like oh, man, maybe this thing is just
16 different, maybe this is the -- a motor that has less horsepower,
17 maybe it's a 160, not the 180. I still take those things into
18 consideration at times.

19 But again, it wasn't like oh, man, this thing's sketchy, like
20 I'm still going to take it off. No, it was just a mental note of
21 this plane, I've now noticed that okay, this is the power of this
22 plane, we're going to see how this is. And then when I pulled
23 off, that's when we -- when I began to notice it was not going to
24 work out well and that's when I ran it. So that's when kind of
25 the true sense of oh, there's actually something wrong with this

1 airplane, especially coming straight off of a run-up when
2 everything's fine. You know, we're kind of taught if the plane
3 passes the run-up, the plane's going to fly, and I always do a
4 thorough run-up, you know, exactly how the handbook's going to
5 tell you to do it, I never omit anything, and I can tell you I
6 didn't miss anything that day. So yeah, I was confident that the
7 plane was going to fly, I just made a mental note when I was
8 rolling that okay, this is a thing, it's down -- it seems to be
9 down on power, I'm going to mentally note that, but never did I
10 think it was a danger. Again, I would've never took the plane up.

11 Q. But now, after takeoff the airplane's unable to climb out and
12 you have reduced power and then you try to take off again, didn't
13 you -- did you have any concerns about trying again?

14 A. The reason I did not have concerns about trying again, well,
15 the plane was climbing out, it was just climbing out poorly.
16 Again, we got to 200 feet which, I mean, it was climbing out, it
17 was climbing upward, but the reason I tried again is because I
18 kind of had Charlie in the back of my mind, I really wanted to
19 absolutely know and no doubt that I did not miss anything.

20 Of course, you know, there are stories of pilots that fly for
21 40 years and then they forget something on the checklist one day
22 and it becomes catastrophic. After I landed, I wanted to make
23 absolutely sure that I did not miss anything on the checklist and
24 that I did indeed lean it properly, that was a personal thing, and
25 I believe the right thing to do, because I just really wanted to

1 know if I was doing everything properly, so I'm like okay, I'm
2 going to do a very thorough run-up. And again, before I got
3 cleared for the second takeoff, I had in mind where if this -- if
4 I notice the exact same power loss that I originally noticed when
5 I went full throttle, I was never going to attempt to lift the
6 wheels off again, which I did not do.

7 So when we got cleared again, you know, I -- when I pushed
8 the power in, I go oh, it's going to do the same thing, it feels
9 the exact same, even though we just did this run-up, I just did
10 this run-up. And so I even, I believe, told the tower that if we
11 experience the same thing we're not even going to lift off, we're
12 going to want to just go back. I just wanted to make absolutely
13 sure I didn't miss anything on the run-up, which I went through
14 that whole process again for a long time and I did -- I noticed
15 everything is fine, everything's in the green.

16 And of course, I did a lean run-up secondly in case there was
17 any fouling on the plugs (indiscernible) any power, I did that one
18 last. I didn't notice any drastic power difference at all that we
19 did or that I did when I took off originally and went a little
20 lean, the motor wanted to quit right away. Just with a little bit
21 of a lean, leaner mixture, yeah, I just did that to make sure I
22 absolutely missed nothing so I could be confident with my, kind of
23 my testimony going back to Charlie, like hey, listen, I can
24 guarantee you I didn't miss anything on the checklist, there's
25 something wrong with the airplane. And by the time I did that, in

1 the second roll, I was a hundred percent confident that I was able
2 to rule out anything when it comes to pilot error, I guess I can
3 say, and that's why I did that the second time.

4 Q. I want to talk about your checkout with Rody Elder, how many
5 flights and what was the duration of that checkout?

6 A. It's one flight. And I'm looking at my logbook here and I'll
7 tell you how long it was. It was 1.1 hours. We did three
8 landings that day, so three takeoffs, also, and that was on the
9 18th of July.

10 Q. Okay. And on your landings, what was the -- on the approach
11 and landings, what was the maximum flap setting that you used?

12 A. On those landings during that checkout that day?

13 Q. Yeah.

14 A. Full flaps.

15 Q. And what aircraft was that? Let me go back to that.

16 A. Just a moment here. That was in November 4547 Echo.

17 Q. Okay. And this is the first time you've tried to fly 6587
18 Echo?

19 A. That's correct.

20 Q. Okay. On the checkout airplane was there any discussion
21 about using 30 degrees versus 40 degrees of flaps on any
22 airplanes?

23 A. No.

24 Q. On your landings, were touch and go's or full stops, taxi
25 backs?

1 A. We did one full stop and we did two touch and go's. We did
2 two touch and go's on Longmont and then our full stop was back at
3 Metro.

4 Q. Did Rody ever have you do any go-arounds during this checkout
5 with him?

6 A. Negative.

7 Q. Okay.

8 A. No.

9 Q. On 6587 Echo is the engine, is it carbureted or fuel
10 injected?

11 A. It's carbureted.

12 Q. All right. What was the probability of icing on your flight
13 in 6587 Echo? What was the probability of --

14 A. I would say --

15 Q. I'm sorry, probability of carb icing on your flight with 6587
16 Echo.

17 A. What do I personally think the probability is?

18 Q. Yeah. On that day, on that takeoff attempt.

19 A. Very low, very low probability.

20 Q. Okay. I think two more questions and I'll turn it over to
21 Harold Robertson. Does your maximum lift coefficient increase or
22 decrease in ground effect?

23 A. Decreases. Wait, say that again, sorry.

24 Q. Does your maximum lift coefficient, does that -- for the
25 airplane or any airplane, does that decrease or increase while the

1 airplane is in ground effect?

2 A. The plane has more lift in ground effect.

3 Q. All right. Does the slope of your lift coefficient versus
4 angle of attack, does that slope increase or decrease in ground
5 effect?

6 A. Say that again.

7 Q. So the question is does your lift coefficient versus your
8 angle of attack, does that increase or decrease in ground effect?
9 The slope of that curve. So if you plot lift coefficient versus
10 angle of attack, there's a slope to that line, does that slope of
11 that line increase or decrease in ground effect?

12 A. I --

13 Q. And if you don't know, that's okay, just --

14 A. Say that again.

15 Q. If you don't know, that's -- I mean, if you don't know, just
16 you don't know, but it's just another question I had in mind.

17 A. All I know is in ground effect, of course, your plane's going
18 to experience more of a lifting action due to like just a burbling
19 wind off your wing that's bouncing off the ground and pushing on
20 the bottom of your wing, you're going to have more lift in ground
21 effect, which is going to be within the distance of your wing
22 length to the ground that you are, you have more lift in ground
23 effect.

24 Q. Okay.

25 A. That's what I would say.

1 MR. GALLO: All right, I'm going to turn it over to Harold.
2 Maybe I'll have a couple more questions, but I think that's all I
3 have for right now.

4 MR. VANDEWEERD: Okay.

5 MR. GALLO: Thank you.

6 MR. ROBERTSON: Okay, thanks. Mike (sic), you have perfect
7 timing. Let me mute this other phone real quick. All right,
8 sorry about that.

9 BY MR. ROBERTSON:

10 Q. Okay, so Alec, on your first flight or during your first
11 flight, did -- when you were starting to come, you know, trying to
12 maneuver back to the ground to landing, did your girlfriend or
13 passengers say anything to you about what was going on or about
14 the performance or were there any concerns?

15 A. Yeah, my girlfriend, in the right seat, during the climb out,
16 after I kind of began to richen it a little bit and lean it a
17 little bit, she's like what's going on, because she noticed -- she
18 began to notice the thing was not climbing good.

19 Q. Did she tell you that?

20 A. Tell me what?

21 Q. That it didn't seem to be climbing well.

22 A. No, she just asked what was going on, that's when I said, I'm
23 like the thing, the thing's not climbing good at all.

24 Q. Okay. Okay, what about your passenger?

25 A. He did not mention anything. He never really flies with us

1 much. He's flown with me before, just in a 150.

2 Q. Okay, okay. So he's not an aviator.

3 A. Yeah, no.

4 Q. All right. I'm just taking notes here, hang on. So she just
5 asked what was going on, okay. And did you say she's a CFI?

6 A. She's not a CFI.

7 Q. Okay.

8 (Crosstalk)

9 BY MR. ROBERTSON:

10 Q. Okay, okay. And then before your flight, did you happen to
11 check weather?

12 A. Yes.

13 Q. Okay. What was it at the time, just prior to your first
14 flight?

15 A. At the airport?

16 Q. Yeah.

17 A. Of course, it has been a few weeks, but -- it's been a month,
18 actually, now.

19 Q. Okay.

20 A. But I remember it being quite pleasant, I mean, the wind was
21 not strong, I would say it was less than 7 knots straight down the
22 runway, if I had to remember, and maybe there were some -- I think
23 maybe there was some rain within a 50-mile radius or so, but it
24 was nothing really to worry about going to Wyoming.

25 Q. Okay, all right. And --

1 A. Density altitude was low. It was low.

2 Q. Okay, density altitude was low. Do you happen to remember
3 what the humidity was and the temperature was?

4 A. In Fahrenheit, I know the temperature was about 75 degrees.
5 I'm not sure what the dew was, I can't remember. I just remember
6 the density being low because the temperature in Denver -- we go
7 down every single weekend, for the most part, fly, it's usually in
8 80s or 90s, and I remember that day specifically, it was in the
9 70s, which I -- I can just easily remember, oh, the density
10 altitude was low today, I remember it being like, I don't know,
11 maybe a high 6,000 or low 7,000 density when we've seen like mid-
12 8,000s and even higher before.

13 Q. Okay. And why did you say earlier that you didn't think that
14 carb ice could've been an issue?

15 A. From what I've always been taught, of course you're going to
16 pull carb heat when you need -- when your RPM is below the green
17 arc due to kind of the Venturi effect which can create carb ice,
18 but I know carb ice can happen at like 75 and lower, but without a
19 Venturi effect rolling around on the ground and with full power, I
20 know you have like kind of less of that Venturi effect when you're
21 -- when you're closing the throttle when you kind of create that
22 tight, it's not like a -- I would say the reason why I don't think
23 it was a probability that day is because it was 75 degrees and I
24 wasn't descending pulling power, I was going full throttle and I
25 was just taxiing around on the ground, which would create a hot

1 engine environment.

2 Q. Okay.

3 A. With little air flow and a running motor.

4 Q. All right. All right, let's see what else we have here. You
5 talked about your check ride already. Oh, and then during your
6 first flight, your takeoff, did you say -- what were your flaps
7 at?

8 A. It was clean, it was zero.

9 MR. ROBERTSON: Okay, all right. Full up. All right. All
10 right, let's see here, second flight. That's pretty much all I
11 have. I'm just going through my notes. Yeah, I don't have any
12 other questions for you.

13 MR. VANDEWEERD: All righty.

14 MR. ROBERTSON: I'll turn it back over to Mitch.

15 BY MR. GALLO:

16 Q. All right. All right, thanks. Alec, I just have a couple
17 more. Going to the squawk sheet that you turned in for 6587 Echo
18 to Charlie, who else was in the room, if you could identify
19 everybody in the room that was there?

20 A. So you had Charlie; myself; my girlfriend, Kate Preston was
21 in the room; my passenger was also in the room, and then -- so
22 this room is kind of like an open concept, you can think about it
23 as, there's no doors to the room but there are doorways that have
24 no doors, so it's open. And throughout one of the doorways that
25 you would walk even out of the flight school, it's a very high

1 traffic area there. Right around the corner there's a vending
2 machine that was getting restocked by -- I know her as Kat, she
3 was restocking the vending machine, so she was in the room, as
4 well.

5 Q. And what's the name of your passenger that was with you?

6 A. His name is Adam Simms (ph.).

7 Q. Adam Simms, okay.

8 A. Yeah.

9 Q. Going to your check ride with Rody Elder, was there any
10 discussion about use of, in any of the airplanes, about 40 degrees
11 of flaps?

12 A. In what sense?

13 Q. Whether to use them or not use them.

14 A. I mean, we always practice kind of full-flap landings.

15 Q. But there was never any discussion -- because some 172s will
16 have 40 degrees of flaps, others will have 30 degrees of flaps.

17 A. Thirty.

18 Q. Was there any discussion not to ever use 40?

19 A. Negative.

20 Q. Okay. When you were given the keys to 6587 Echo, do you know
21 if it flew prior to your flight on that day?

22 A. It had flown right before me, yeah, it actually flew before
23 me. I don't know if it was a couple hours or not. I remember
24 Charlie going that's weird, someone just flew it right before you,
25 I remember him saying. He also said that's weird, someone started

1 the airplane right before you, he said that was the 172 right
2 before me, but I just kind of think well, someone has to fly it
3 before it breaks, you know. But someone had flown that airplane
4 that day and I remember the engine was actually -- it wasn't a
5 cold motor when I started it, you could tell someone flew it that
6 day.

7 Q. Okay. Going to your 170 checkout, 172 checkout with
8 Rody Elder, can you talk about what maneuvers he had you perform?

9 A. Yeah, we did an emergency descent due to a simulated engine
10 power loss scenario, we did a power on stall, power off stall, we
11 did left and right steep curves, we did -- yeah, then we did some
12 regular touch and go's.

13 Q. Was there any discussion about aircraft systems during the
14 checkout?

15 A. In what sense?

16 Q. Kind of engine, fuel burns. Of course, flaps.

17 A. The reason there's not a discussion is because I fill out an
18 entire packet before we start, he looked over everything,
19 everything was fine, but that packet does mention all sorts of
20 things like that. Endurance performance, weight and balance,
21 systems, you know, is it fuel injected, is it carbureted, stuff
22 like that, it's a pretty thorough packet. It's available on the
23 Rocky Mountain Metro Flight School's website, if you're
24 interested.

25 Q. Okay.

1 A. You should be able to print one off, but it's the same one
2 you'd use for any aircraft, that you're going to get checked out
3 there, but if something was not correct on there we would then
4 speak about it, but everything was correct.

5 Q. And after the checkout, did he sign you off for a flight
6 review?

7 A. A flight review?

8 Q. Yeah, did he use a checkout also as a flight review? Or a
9 biennial flight review, so --

10 A. No.

11 Q. Okay. One last question. Have you ever seen the engine
12 operating handbook for this airplane? Have you ever read it, or
13 any other airplane?

14 A. The engine operating handbook?

15 Q. Right.

16 A. To decipher that, it is indeed different than the pilot
17 operating handbook, correct?

18 Q. Right, so just a little background, every engine manufacturer
19 provides an engine operating handbook.

20 A. I've never seen the engine records for that plane.

21 Q. Yeah, not the logbook but it's an operating handbook, like a
22 flight manual.

23 A. Well, I've seen and read part of the -- yeah, the pilot
24 operating handbooks, exactly.

25 Q. Right, but then there's an engine operating handbook, that's

1 what it's called, for that engine. Have you ever seen that?

2 A. Is it within the pilot operating handbook?

3 Q. No, it's a separate handbook, it's separate from the --

4 A. No, I haven't.

5 Q. Okay. All right, we're going to close it out and usually
6 when I close it out, I ask do you have anything else that you want
7 to address that we haven't mentioned or you had any concerns?

8 A. I guess there is one thing I would address, is
9 (indiscernible) --

10 Q. Okay.

11 A. -- that day. I was just going to say, I mean, I -- I've been
12 -- on a personal account, I've been very thankful for this flight
13 school, it's close to home, they always kind of have planes
14 available, they always kind of let me take it for a long time, we
15 take it for a few days, you know. I have said in the past, I feel
16 like the school almost has everything figured out, whether the
17 tire's a little low, they already have free tanks where you fill
18 it up, they have like anything.

19 If the window's dirty, there's always an area where like
20 here's the cleaner, here's the towels, here's the oil, you know,
21 you can kind of almost always do things on your own there. I
22 think they have a lot of things a flight school should have
23 figured out but of course, clearly they have some things that are
24 not also figured out, but I've just always been thankful for the
25 flight school there, it's helped me out a lot, it's helped me gain

1 a lot of hours, especially for a young inspiring pilot that
2 doesn't like to spend a whole lot of money. I've been very
3 thankful for that flight school and I've been thankful for a lot
4 of the people that I've met there, most of them are great people
5 and I think it's a great, great business they run down there, but
6 of course, there is probably some holes that need to be patched up
7 but, again, I'm just thankful for that school has helped me out a
8 lot.

9 MR. GALLO: Okay. All right, so that concludes that and
10 we're off the record.

11 (Whereupon, the interview concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: CESSNA 172N ACCIDENT NEAR
 BROOMFIELD, COLORADO
 ON JULY 30, 2022
 Interview of Alec VandeWeerd

ACCIDENT NO.: CEN22LA362

PLACE: via telephone

DATE: August 31, 2022

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.

[REDACTED]

Karen D. Martini
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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CESSNA 172N ACCIDENT NEAR *

BROOMFIELD, COLORADO *

Accident No.: CEN22LA362

ON JULY 30, 2022 *

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Interview of: ALEC VANDEWEERD
Renter of Aircraft

Rocky Mountain Flight School
Broomfield, CO

Friday,
September 23, 2022

APPEARANCES:

MITCHELL GALLO, Air Safety Investigator
National Transportation Safety Board

HAROLD ROBERTSON, Avionics Inspector
Federal Aviation Administration

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By Mr. Robertson

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By Mr. Gallo

8

1 I N T E R V I E W

2 MR. GALLO: This is an interview pertaining to accident
3 investigation CEN22LA362 with Alec Vandeweerd. Today is
4 September 23rd. Accompanying us is Harold Robertson from the
5 Federal Aviation Administration, Denver FSDO office. Alec, do I
6 have your permission to record the conversation?

7 MR. VANDEWEERD: You do.

8 INTERVIEW OF ALEC VANDEWEERD

9 BY MR. GALLO:

10 Q. All right. Do you know Charlie Krummel from the Rocky
11 Mountain Flight School?

12 A. If that's the manager that is at the desk, then yeah.

13 Q. Right.

14 A. Briefly know him, I guess, not really like --

15 Q. Does he know you at all?

16 A. I would think if you were to give him my name he could
17 potentially put a face to it.

18 Q. Okay. On the day when you rented the airplane, what were you
19 wearing?

20 A. I was wearing this shirt with black shorts and red shoes.

21 Q. Okay.

22 A. Black collar shirt.

23 Q. On July, I guess, was it 29th when you rented, well, 6587
24 Echo and the previous airplane, was that the first time you talked
25 to Charlie Krummel?

1 A. No.

2 Q. You talked to him on previous occasions?

3 A. Yeah.

4 Q. And what was the nature of those conversations?

5 A. Normal. One day he showed me like where the air tanks are to
6 like fill up tires and stuff like that, like chucks and tie-downs.

7 Q. Okay.

8 A. Student/manager relationship, I guess.

9 Q. Okay. Can you give an estimate of how many times you've
10 talked to him?

11 A. Like seeing him on a face-to-face basis?

12 Q. Right.

13 A. Maybe five, I would think.

14 Q. All right.

15 A. Until this day or had since that day?

16 Q. Since you rented 6587 Echo.

17 A. Yeah, maybe four or five, I would think.

18 Q. Okay.

19 A. Maybe more.

20 Q. So he probably knows who you are, right?

21 A. Could.

22 MR. GALLO: Okay. Harold, do you have any questions?

23 BY MR. ROBERTSON:

24 Q. On the day of the -- of your flight and when you had -- when
25 you had the -- the aircraft after you had attempted takeoff two

1 separate times and you went in, I guess just tell us, describe
2 your interface with Charlie at that point. When you went back to
3 the flight school.

4 A. I guess I just told him what happened and as I mentioned last
5 time, maybe he just had a long day or so, but it just seemed like
6 he wasn't really in the mood, I guess. After everything I told
7 him. But again, I just filled out the squawk sheet and handed it
8 to him and that's pretty much the end of it.

9 Q. Okay. Why did you fill out the squawk sheet, did he instruct
10 you to or what?

11 A. Yeah, he did.

12 Q. Have you ever filled out one of those before?

13 A. Never.

14 Q. Okay. And then, so after you filled out the squawk sheet,
15 what happened?

16 A. It's pretty much I filled it out with Kate, who was right
17 next to me. She had filled out a few of those before at her
18 flight school where she grew up, going to. So she just kind of
19 just overlooked it, but I was done, I filled it out in quite
20 detail, I would think. I think I actually took up more of the
21 lines that even existed there, but I had just handed it to him and
22 I remember it being like 10 to 5:00, so like 4:50, and then we
23 pretty much got out of there because we didn't have another plane
24 to fly and it was already our second attempt and -- yeah, at that
25 time I remember like asking for another plane. I can't remember

1 if it was before or after, but we didn't have another opportunity
2 to fly that day, apparently, so we left.

3 Q. Okay. And he took the form from you after you handed it to
4 him?

5 A. Yeah, he did.

6 Q. And what did he do with it?

7 A. When I handed it to him, I remember -- I can't remember if --
8 what I said anymore, it's almost been 2 months now, but I remember
9 just handing it to him. I don't know if he like put it down to
10 his side, if there's like an area for that. He sits behind a big
11 desk. If I were to be sitting here, it would be a big desk and I
12 would be on the other side.

13 I don't know if he has like folders or anything that he would
14 put it in, but I remember just him taking it like this and
15 potentially putting it in an area somewhere or maybe just right on
16 the desk there. There's like a big platform and then his desk
17 area, so maybe he put it there or put it under there somewhere,
18 that's all I can really tell you.

19 Q. Okay. Did he say anything after he took it, after he took it
20 from you?

21 A. Maybe something along the lines of like I'm sorry it didn't
22 work out for you or something like that. You can't quote me, but
23 it's been a while, I can't really remember.

24 Q. Uh-huh. All right. Did he say what was going to happen with
25 the form?

1 A. I believe he said that was going to go to maintenance because
2 on the first plane that we had tried to fly that day, of course, I
3 had the starting issue, and he's like all right, I'll have Greg
4 come look at it, it's probably going to maintenance, and he
5 literally came on like a tug, little tug, and towed the plane away
6 instantly, like right away. And I was under the impression that
7 that same thing was going to happen with that airplane, too.

8 Q. Okay --

9 (Crosstalk)

10 MR. VANDEWEERD: He said I'll have him look at it or
11 something.

12 BY MR. ROBERTSON:

13 Q. So he did tow it away while you were there?

14 A. He did not. He towed the first airplane away, not 87 Echo.

15 Q. Okay, all right.

16 A. And again, it was like the end of the day, so I think they
17 just got out of there, I doubt even contacted Greg at that moment
18 in time. I believe he left before he even made a phone call or
19 told anybody about that squawk sheet because I remember him, if I
20 remember correctly, I think when we got in the car and we're out
21 there kind of still talking, I think they were kind of packing up
22 and leaving.

23 MR. ROBERTSON: Okay. All right. Yeah, that's all the
24 questions I have. Back to you, Mitch.

25 BY MR. GALLO:

1 Q. Okay. Alec, on the first airplane that you tried to rent, it
2 was like a starter issue, did you fill out a squawk sheet for that
3 one?

4 A. I did not.

5 Q. Okay. And then when you walked in and talked to Charlie
6 Krummel about this, not being able to start that first airplane,
7 did both of you walk back out there?

8 A. Me and Charlie?

9 Q. Right.

10 A. Yeah, we did.

11 Q. And that was -- the coloring of the airplane was like white
12 with magenta trim?

13 A. Yeah, that's correct.

14 Q. How long after you tried to start the first airplane, how
15 much time did you spend with Charlie after you tried this -- when
16 you went back in, talked to him and came back out?

17 A. How much time did I spend with him with the issue on the
18 first airplane?

19 Q. Right.

20 A. Maybe 10 minutes at the most, I would say.

21 Q. Okay. And both of you then walked out to the ramp towards
22 the first airplane.

23 A. Back to the first airplane and he watched me physically try
24 to start it again. I remember him like looking behind the prop
25 and like in the motor real quick or something and he's like oh, it

1 should be fine or something.

2 Q. Okay.

3 A. Then he watched me try to start it and it didn't.

4 Q. And then both of you walked back in together after that?

5 A. We did not both walk in together after that. That's when I
6 asked do you have another airplane we can fly and I -- I think I
7 looked at my phone and I'm like it looks like 87 Echo is available
8 the rest of the day, he's like yeah, let me go check. So we left
9 this plane, it's hard to kind of map out, but if the plane's in
10 the middle, pretend on the tarmac here, and then the flight school
11 is here, the other 172 was out here, closer to like the runway,
12 the opposite way.

13 Q. Um-hum.

14 A. So we split and he's like yeah, that plane's probably going
15 to be fine, so he went back in because he has to go do that
16 paperwork for me and then me, Kate, and my buddy in the back, we
17 went to the other plane and started a preflight on this plane and
18 then, I believe it was then me at one point, I went all the way
19 back in and he had the paperwork ready and he handed it to me and
20 then we went in the other plane.

21 Q. Okay. And then after you came back with 87 Echo, you walked
22 back into the Rocky Mountain Flight School, did you talk to
23 Charlie again?

24 A. Yes. He was sitting at the desk again.

25 Q. And how long was that conversation?

1 A. I would think at least 20 minutes.

2 Q. Okay. Did anybody from the flight school go out with you to
3 see 87 Echo?

4 A. No.

5 Q. And how long did you stay after finishing your conversation
6 with Charlie?

7 A. How long did I like linger around?

8 Q. Yes.

9 A. It wasn't too long.

10 Q. Okay.

11 A. Maybe -- I mean, after the conversation, we all walked
12 outside and got in my girlfriend's car and maybe talked for like a
13 minute or two and then -- because we were already in Denver, we
14 come from here, of course, and I remember telling Charlie we're
15 always trying to make it worth it when we come down. So at that
16 point we were still trying to make it worth it, so we went to like
17 a restaurant or somewhere, and we sat in the parking lot and we
18 we're looking at our phones, like what's the best place to go
19 because we wanted to figure something out to do, so maybe we sat
20 there for maybe another 5 minutes in the car.

21 Q. So during that whole time when you returned with 87 Echo, did
22 anybody ever, from Rocky Mountain Flight School, go out to that
23 airplane or see a tug go out there at all?

24 A. Not to my knowledge, no.

25 Q. And then when you were finishing up with talking to

1 Charlie Krummel about 87 Echo, did he get up and go anywhere or
2 was he just still sitting at his desk after you turned in the
3 squawk sheet?

4 A. It seemed as if he just was sitting there, I didn't see him
5 go anywhere.

6 Q. Okay. And your friend, you mentioned your buddy was with
7 you, what's his name?

8 A. His name is Adam Simms.

9 MR. GALLO: Okay. That's all the questions I have. Harold,
10 do you have anything else?

11 MR. ROBERTSON: No, I don't. Thank you.

12 MR. GALLO: All right. Well, that's all we have. Thank you
13 and we're off the record, then.

14 (Whereupon, the interview concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: CESSNA 172N ACCIDENT NEAR
 BROOMFIELD, COLORADO
 ON JULY 30, 2022
 Interview of Alec VandeWeerd

ACCIDENT NO.: CEN22LA362

PLACE: Broomfield, CO

DATE: September 23, 2022

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.

[REDACTED]

Karen D. Martini
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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CESSNA 172N ACCIDENT NEAR *

BROOMFIELD, COLORADO *

Accident No.: CEN22LA362

ON JULY 30, 2022 *

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Interview of: ANDREW WHITNEY, Certified Flight Instructor
Rocky Mountain Flight School

Rocky Mountain Flight School
Broomfield, CO

APPEARANCES:

MITCHELL GALLO, Air Safety Investigator
National Transportation Safety Board

HAROLD ROBERTSON, Avionics Inspector
Federal Aviation Administration

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I N T E R V I E W

MR. GALLO: This is an interview with Mr. Andrew Whitney pertaining to accident investigation CEN22LA362, Cessna November 6587 Echo, and Mr. Whitney, do I have your permission to record this conversation?

MR. WHITNEY: Yes, sir.

MR. GALLO: Okay. And with us is Harold Robertson from the Denver FSDO office.

INTERVIEW OF ANDREW WHITNEY

BY MR. GALLO:

Q. And Mr. Andrew, can you describe your aviation experience?

A. Yeah. So I started in 2018 at Centennial, got my private certificate at Centennial, I think in 2019, then moved up here to Rocky Mountain Flight School to do instrument and commercial through them, then went to Fort Collins for the intensive CFI training and I started working as a CFI since October of last year.

Q. And you got hired in October of last year at Rocky Mountain Flight School?

A. Yes, sir.

Q. When you got hired at Rocky Mountain Flight School did they give you any kind of check rides or training to be a CFI?

A. Well, I had done all my training through there so -- and I would kind of hang out with a lot of the CFIs and crew, with a lot of the CFIs that still work there, so personally, I didn't have to

1 do any type of check ride to get hired there.

2 Q. Have you ever flown 6587 Echo?

3 A. Yeah.

4 Q. How do you teach the use of flaps to your students, are they
5 allowed to use 40 degrees of flaps?

6 A. So I was at first, in the beginning, because part of the
7 performance charts and things like that, they talk about short and
8 soft fields, having full flaps. I was always kind of leery of
9 that because 40 degrees of flaps is a lot and I would never teach
10 it to a new student, but as a student got good at maintaining
11 airspeed and things like that -- excuse me, things like that I
12 would start teaching with the 40 degrees, yeah.

13 Q. And Rocky Mountain Flight School never told you not to use 40
14 degrees of flaps?

15 A. No.

16 Q. Okay. With 40 degrees of flaps and full power on 6587 Echo,
17 what kind of climb rate can you get out of that?

18 A. Don't think I've ever -- I think the most I've done was being
19 in slow flight at altitude and it's pretty hard to maintain.

20 Q. And you're using 40 degrees of flaps in slow flight?

21 A. Sometimes, yeah.

22 Q. And is that straight level flight?

23 A. Yes, sir.

24 Q. What about bank, with a bank, what is the maximum banking you
25 would use for slow flight with 40 degrees of flaps?

1 A. Ten degrees, at most.

2 Q. Can you maintain altitude at --

3 A. It struggles, but for the most part, yeah.

4 Q. And then what altitude is that when you're doing slow flight?

5 A. About no lower than 7500 feet.

6 Q. And that's MSL?

7 A. MSL. Yes, sir.

8 Q. Is that on a hot day or a cold day, during the winter months,
9 fall, summer?

10 A. Yeah, I mean, obviously on a hot day we kind of all know that
11 it's going to struggle even more, so -- yeah, typically, I mean,
12 I've only done 40 degrees flaps in slow flight a few times. I'm
13 just teaching 30 degrees and work them out from there. Yeah, it
14 struggles either way, I had 40 degrees flaps in the end models,
15 160 horsepower; it struggles, for sure.

16 Q. Do you ever have any meetings at Rocky Mountain Flight
17 School, like safety meetings at all to discuss policies and
18 procedures?

19 A. Yeah.

20 Q. And how regularly are those held?

21 A. I think I've been to two in the time that I've been there, so
22 from October until now, I think we've done two safety meetings.

23 Q. And who leads those?

24 A. Typically, it's Greg, he'll come in and chat about the
25 maintenance and what he'd like to see, as well as our managers,

1 Kat, Charlie, and then also some of the tower guys will come in
2 and we'll chat with the tower.

3 Q. Okay. I want to talk a little bit about the squawk write-up
4 process. When an airplane is dispatched for flight instructor,
5 flight instruction or for rental, I guess, what is provided to the
6 -- to you or the renter?

7 A. We typically have a dispatch sheet that comes out of Flight
8 Schedule Pro and that has all the lists of our airworthiness
9 requirements, right, so annual, a hundred hour, BLT, and all that
10 stuff. It gives you, you know, a certain number of days or a
11 certain number of hours until that's required, and the maintenance
12 logs aren't so much that they're not accessible, because they are,
13 they're right next to the dispatch desk, but for the most part,
14 renters or instructors will look at that Flight Schedule Pro log,
15 when is the next hundred hour due or when is the next annual due.

16 Q. And that's on Flight Schedule Pro?

17 A. Yes, sir. So they'll print out what they call a dispatch
18 sheet and at the bottom of it, it's got a list of all the
19 maintenance and when they're required. How many days or time is
20 left until they need to be --

21 Q. What about squawk sheets, how is that?

22 A. Yeah, so they're in a filing cabinet. We'll have three-ring
23 binders with the tail number on the edge of them and that's where
24 all the squawk sheets will be.

25 Q. And you have access to those?

1 A. Yeah, they're inside the office.

2 Q. Is it a separate binder from the logs the squawk sheets are
3 maintained?

4 A. Correct.

5 Q. And is it a binder specific to each airplane, then?

6 A. Yes, sir.

7 Q. And typically, how far do the squawk sheets go back in time
8 in that binder? Or could you estimate how many pages --

9 (Crosstalk)

10 MR. WHITNEY: Yeah, there's probably 30, 35 pages in some of
11 them, obviously some more than others, but they're old airplanes
12 so you'd expect it to be pretty big.

13 BY MR. GALLO:

14 Q. And is there a numbering system on the squawk sheets, like
15 this is squawk sheet 1001; the next one, 1002?

16 A. You know, I don't believe so, but I'm not a hundred percent
17 on that, I've never kind of noticed. I know we have a standard,
18 like a standardized squawk sheet, it was just kind of created, I
19 would say, like on a computer that's printed out and we have those
20 behind the dispatch and they all just kind of look similar, so I
21 don't think they're numbered unless Greg does number them when he
22 does look at the squawks.

23 Q. Okay. And then let's talk about the squawk sheet that Alec
24 Vandeweerd had.

25 A. Yeah.

1 Q. So what's the story on that?

2 A. It's kind of an interesting, interesting way to come about
3 it. So I was waiting for my student to preflight, we were going
4 to go up and do some pattern work and I had talked with Alec
5 because he wanted to get -- and this was weeks before. He wanted
6 to get checked out in one of our planes so he was asking me about
7 it, so we kind of started talking, and while I was waiting for my
8 student, Alec came up to me and he goes, you know, where is --
9 what happened with 87 Echo?

10 And of course, like I didn't necessarily want to tell him
11 that Rody had been in an accident in that plane, I kind of just
12 said oh, well, it's down for maintenance. And he's like yeah,
13 it's kind of weird because I flew it, I think, on the 29th, he
14 said, and he goes I squawked it for, you know, low power and we
15 actually made an emergency landing, and the accident happened the
16 day after. So it kind of like clicked in my brain of what he was
17 actually telling me, so that's when we kind of started talking,
18 asked him exactly what happened, asked him, you know, if he did,
19 in fact, squawk it.

20 He pulled his girlfriend over to like testify for him that
21 they did, in fact, squawk it. And I had pulled Rody's girlfriend,
22 she's a CFI at our school, her name is Ally, because Rody was
23 flying with a student, and I kind of pulled her outside and I was
24 like listen to what, you know, Alec just told me and he went into
25 it again and told us that he did, in fact, squawk it for not

1 creating full power. And I kind of asked a few extra questions,
2 like, you know, how about the mixture, things like this, did you
3 double-check that and he said that, you know, he took off at
4 about, I don't know, a few hundred feet off the ground, put it
5 back down on the runway, taxied back, did a full power static
6 run-up, set the mixture, made sure it was okay, and tried again
7 and aborted the takeoff.

8 So, you know, he probably checked the mixture and knew what
9 he was doing on the second time around, so it kind of tells me
10 that there was something wrong with that airplane. I couldn't
11 tell you where the squawk sheet is.

12 Q. Did he tell you how he squawked it, did he write it on a
13 separate note?

14 A. Yeah, he -- so I guess he went in and talked with Charlie,
15 our manager, and Charlie had given him one of those standardized
16 squawk sheets, what I was just talking about previously, and he
17 said that he never filled one out, so he filled it out and I
18 believe put it back on the desk.

19 Q. So the person at the desk, who was that that received it?

20 A. I believe it was Charlie.

21 Q. Okay. So when you rent an airplane, the squawk sheets that
22 remain in the binder, they don't go with the keys, is that
23 correct, you don't carry those into the airplane, right?

24 A. No, sir.

25 Q. All right.

1 A. Yeah. So when we give them the squawk sheets there's like a
2 manila folder, you know, one of those open folders, that's right
3 next to the dispatch desk, so you hand it, they'll put it in there
4 and then maintenance is supposed to come and check all the squawk
5 sheets.

6 Q. So do people, when they're renting airplanes, and students,
7 do they know where to look for squawk sheets since those are
8 separate from the keys that are given to them?

9 A. Right, you know, I think that's more of -- I would say no,
10 but it's kind of like as CFIs we can let them know hey, here's
11 where all of the squawk sheets are.

12 Q. Do you think people that are renters and students are looking
13 at those?

14 A. Renters are probably not, no.

15 Q. But mostly that's for the CFIs, they know of it?

16 A. Yeah, I would say, you know, if anybody's going to know it's
17 because a CFI told them where it's at.

18 Q. Do you tell your students about the squawk sheets?

19 A. You know, sometimes I'll forget about it but most times, if I
20 hear of a CFI squawking an aircraft, I'll go in before my flight
21 in that aircraft and check that the squawk sheet was dealt with.

22 Q. And how long has Alec been flying at Rocky Mountain Flight
23 School?

24 A. I cannot tell you.

25 Q. Have you ever, you, yourself, wrote a squawk that was --

1 wrote up a squawk and later you couldn't find the sheet?

2 A. I'd have to go back and look. I, personally, I don't think
3 that's happened to me. I do know, though, kind of the only thing
4 that I can tell you is yesterday I was in an airplane where the
5 mag failed on the run-up, so we brought it back and we squawked it
6 and I looked at the old squawks and a few days ago, earlier or
7 maybe later last week, another CFI had squawked it for the left
8 mag being not satisfactory in the run-up and the squawk was signed
9 off saying that the run-up was satisfactory.

10 So that's kind of the closest, I would say, is somebody else
11 squawked it, maintenance did a run-up on it and said it was
12 satisfactory and signed it off back to the line. But I did the
13 run-up yesterday and it was -- it dropped, you know, 400, 500 RPM,
14 engine roughness?

15 Q. And it was the same magneto?

16 A. Yeah.

17 Q. The left?

18 A. Yes, sir.

19 Q. Which aircraft was that?

20 A. Four-zero-five-two Foxtrot. It's a Piper Archer.

21 Q. What are your overall impressions of Rocky Mountain Flight
22 School?

23 A. You know, it's a very -- it's kind of -- I contradict myself
24 a lot, I'll say, because I love the people, the CFIs are great,
25 all great pilots, competent pilots, everyone works hard. You

1 know, for a check ride if something needs to be dealt with, with
2 maintenance, it gets done, but then again, some things like squawk
3 sheets or little things that may not seem important, don't get
4 fixed when probably it should be. So, you know, it's one of those
5 things where I contradict myself when I say, you know, I love it,
6 but there's some things that are there.

7 Q. Are you aware of some of the other 172s being modified under
8 and STC that prevent them from going to 40 degrees of flaps?

9 A. Yes, sir.

10 Q. And do you remember when that began?

11 A. A few weeks ago, I want to say, maybe the middle of last
12 month. I remember hearing talks of it but there wasn't actually
13 like a meeting, there was just one time I got in an N model and 40
14 degrees was blacked out so I was like oh, they must be in the
15 works of getting all these flaps put to 30.

16 Q. Did anybody from Rocky Mountain Flight School tell you why
17 that was being done?

18 A. No.

19 MR. GALLO: All right. Well, that's all the questions I
20 have. Mr. Harold Robertson, do you have any questions?

21 MR. ROBERTSON: Yes, I do.

22 BY MR. ROBERTSON:

23 Q. So that Archer you just described with the magneto check,
24 what was that number again, 405 --

25 A. Two Foxtrot.

1 Q. Five-two Foxtrot.

2 A. Yeah.

3 Q. Okay.

4 A. And I actually grounded it yesterday, I think I was talking
5 to you on the phone how on the squawk sheets we have something
6 that shows you to defer it or ground it.

7 Q. Is this the sheet you're talking about?

8 A. Yeah, that's actually -- that's what it actually is.

9 Q. So you grounded --

10 A. Yeah, so I --

11 Q. You checked the grounded block.

12 A. I checked the grounded part. And I actually had my student
13 do it because he hadn't done a squawk sheet yet.

14 Q. Um-hum.

15 A. So I wanted to teach him how to do it, so he filled it out
16 and I told him to click the grounding spot, just because, you
17 know, renters and, you know, the weekend fliers, if you will,
18 they'll see a mag drop and maybe be okay with that and it's
19 nothing to mess with when it drops 4, 500 RPM and the engine
20 starts shaking.

21 Q. Um-hum.

22 A. So I didn't want really anybody flying it after we saw that.

23 Q. So basically, when you're doing a mag check, what are you
24 doing? There's two mags, right?

25 A. Yeah, two mags.

1 Q. Okay, so what are you doing with -- when you do a mag check?

2 A. Yeah, so we're doing a run-up, so the checklist for the
3 Archer, it goes 2,000 RPM. You'll set the mixture first --

4 Q. Okay.

5 A. -- so mixture will come back and then you'll -- after setting
6 the mixture, you're going to check the mag, so you go to left mag,
7 which will run the left mag but turn the right mag off.

8 Q. Okay.

9 A. And you're looking for no more than a hundred and 75 drop in
10 RPM.

11 Q. Okay.

12 A. And then back to both and then switching to, you know, the
13 right mag and there should be no more than 50 RPM between the both
14 of them and no more than 175.

15 Q. Okay, so basically, when you select the mag, you're shutting
16 the other one off and you're seeing if the selected mag can carry
17 the load?

18 A. Correct.

19 Q. Okay. And in your case, where it dropped 4 to 500 RPMs and
20 started shuddering, you knew that mag was no -- was questionable?

21 A. Yeah, it's either the mag or, you know, carbon build-up, so
22 what we did was advance to full throttle and lean the mixture to
23 right where it needed to be and let the airplane run because
24 typically you can burn off some of that, those deposits, and get
25 it working just fine. So we did that for about 4 to 5 minutes at

1 full power, letting it try to burn off and then reset the mixture
2 and tried it again, but no joy.

3 Q. Okay, okay. Okay, and so who squawked the first magneto
4 check that failed?

5 A. I believe it was Surf Jones, he's one of our CFIs.

6 Q. What's his first name?

7 A. Kennedy. Sorry.

8 Q. Okay, Kennedy Jones.

9 A. It's Kennedy Surf Jones, yeah, so Kennedy is his first name.
10 Sorry about that.

11 Q. Okay, that was the first pilot. And then you say the
12 maintenance signed off the mag as checked good?

13 A. Yeah, because when we did it, I pulled out the squawk, the
14 notebook, and it was actually signed off. There was a nav light,
15 so the back nav light, the white nav light was fixed and I flipped
16 the sheet and it came up that the left mag had failed, I forget
17 the exact date, but it was signed off as run-up satisfactory.

18 Q. And who signed it off?

19 A. I have no idea, I didn't --

20 Q. Okay.

21 A. -- double-check that.

22 Q. Okay. All right. And then on the -- on the one that you
23 squawked, you did a magneto -- you said it was the number 2
24 magneto?

25 A. It was the left magneto.

1 Q. Okay, so --

2 A. So the same magneto.

3 Q. Okay, so that was on the number -- on the second check, left
4 mag.

5 A. And I believe the first check, the first squawk sheet that
6 Kennedy had squawked, was also left mag.

7 Q. Okay. So you squawked it and you grounded it. Now --

8 A. Yes, sir.

9 Q. -- what procedures -- obviously, you're not a mechanic.

10 A. Yeah.

11 Q. I don't know, you don't have any A&P, do you?

12 A. No, sir.

13 Q. Okay. So is there a procedure that says you guys can check
14 and defer to grounding?

15 A. There really isn't or at least I haven't been told that there
16 is.

17 Q. Okay.

18 A. Typically, I would kind of defer it because I'm no
19 maintenance or mechanic, but if I think it's unsafe and think
20 that, you know, a not-so-experienced pilot would potentially take
21 off in an airplane that maybe shouldn't be flown, I'll try to
22 ground it, you know, something engine related or something like
23 that, definitely.

24 Q. Okay, so in your case, when you squawked it the first time,
25 what did you do with the squawk sheet?

1 A. I put it in the -- so it was early in the morning, it was a
2 6:00 a.m. flight, so there was nobody there until 8:00.

3 Q. Okay.

4 A. So we have those dispatch books and I clipped it right in
5 with the dispatch book --

6 Q. Okay.

7 A. -- and my time that I get paid for, so -- and then put the
8 book on the desk.

9 Q. Okay. And then when did you see that it had been returned to
10 service and could not duplicate?

11 A. I have not checked, I know -- I was in there today, nobody
12 flew it, but it was still sitting, it's still actually, it's just
13 right there.

14 Q. Um-hum.

15 A. Like the first Archer on this side.

16 Q. Okay.

17 A. So I'm not sure if, you know, they cancelled all the flights
18 in it or if they plan on taking it back to maintenance to get it
19 checked.

20 Q. Okay. But after you -- after you squawked it the first time,
21 how many times did it fly after that?

22 A. After I squawked it?

23 Q. The first time.

24 A. I haven't seen anybody fly it since I squawked it.

25 Q. Okay.

1 A. Are you talking about the time that --
2 Q. Oh, I'm sorry.
3 A. -- Kennedy?
4 Q. I'm sorry, yes. Kennedy. Any idea how many flights?
5 A. I could probably figure it out looking at the --
6 Q. Or could you tell, okay.
7 A. -- what's it called, the Flight Schedule Pro --
8 Q. Um-hum.
9 A. -- to see maybe who had it. But I would assume that it flew,
10 I just don't know how many times.
11 Q. Okay, all right. And then, so which -- we have to assume if
12 it flew, then unless he did anything to correct it, then it still
13 existed, the problem still existed.
14 A. Right, but with them signing off the squawk sheet as run-up
15 satisfactory, maybe that's why it was able to fly. Because it was
16 signed off as run-up satisfactory. Then a few days later I got in
17 it and I wouldn't have flown after that run-up.
18 Q. So when you wrote it up, did you tell the person that it
19 dropped 4 or 500 RPMs in the write-up?
20 A. Yeah, yeah.
21 Q. Okay.
22 A. I believe so. I had my student do it and he -- I told him to
23 be as thorough as possible --
24 Q. Okay.
25 A. -- you know, so he could get the experience on squawking

1 something.

2 Q. Okay.

3 A. So I'm not exactly sure if I remember what he said. But I do
4 remember Kennedy actually came in as we were writing it and I
5 asked him about it, I said hey, I saw you squawked this, what
6 happened, and he goes, you know, we were doing the run-up, the
7 left mag dropped 4 or 500 RPM.

8 Q. So he saw the same thing.

9 A. Yeah, he was the one that squawked it first a few days ago --

10 Q. Right, right.

11 A. -- and then I saw the same thing.

12 Q. But he saw the same indication --

13 A. Exactly, yeah.

14 Q. -- 4 to 500. So it wasn't just like 1 or 200 or maybe 300.

15 A. Yeah, it dropped and the engine, you know --

16 Q. Which is significant.

17 A. Yeah, a hundred percent.

18 Q. Right. Right. And then when you got into it -- and when did
19 you -- when did this happen, when did you check it?

20 A. Yesterday --

21 Q. Was this yesterday?

22 A. -- morning, I believe. Could I double-check that real quick,
23 just so --

24 Q. Okay. Sure, please. So that was 8/22, p.m., early. All
25 right.

1 A. Yeah, it was yesterday morning. We taxied out about 6:30.

2 Q. Okay.

3 A. And then I can try to find, possibly, when Surf squawked it.
4 It was only a few days before, I want to say.

5 Q. Okay. Great. Okay, so what is the policy, as you're aware,
6 about using the squawk sheets? What is the process and what is
7 the routing, where do they go to?

8 A. Yeah, so typically you'll just walk in and if you have
9 something to squawk, you'll ask the desk hey, can I please have a
10 squawk sheet, they'll hand you this exact piece of paper and we'll
11 fill it out and either hand it back to the front desk or there's
12 like a little folder right there, put it in, and then you'll see
13 every once in a while the maintenance personnel, so some A&Ps or
14 Greg himself will come across the street, walk in, check all the
15 squawk sheets and go from there.

16 Q. Okay. And do you guys get any visibility of what happens to
17 them other than when you see them back in the squawks, in the
18 squawk binder?

19 A. No. Sometimes if you're not flying, you'll see them come
20 over and tow the airplane back, so you kind of assume that they're
21 going to fix the plane.

22 Q. Right, right.

23 A. But other than that, no. Just kind of seeing the squawk
24 binders.

25 Q. Okay. Was there an early instance where you had squawked

1 something, was it you I talked to about an altimeter error?

2 A. I know about what you're talking about, yeah.

3 Q. Okay, okay. That wasn't you that actually squawked it?

4 A. No. No, that was actually Kennedy.

5 Q. Okay.

6 A. Yeah.

7 Q. Okay. Okay, and when did you talk with Alec about the
8 connection with his squawk and you guys actually -- no, you came
9 together, then, okay, he flew that or attempted to fly it the day
10 before --

11 A. Yeah.

12 Q. -- that Rody did?

13 A. Yeah. I believe I remember telling you on the phone it was
14 the 14th, I believe.

15 Q. Okay.

16 A. I'm just going to double-check because I don't want to give
17 you the wrong answer. I believe it was the 14th around 10:00
18 a.m. --

19 Q. Okay.

20 A. -- is when -- you know, because I didn't really want to
21 spread kind of Rody's business, it's something hard to deal with,
22 right?

23 Q. Right.

24 A. So I wasn't trying to tell them anything until we -- yeah, so
25 it was around 10:00 a.m., August 14th.

1 Q. Okay.

2 A. So it was kind of just like by chance that we were able to
3 find this out because he came asking about the airplane and why it
4 was down for maintenance so long.

5 Q. Okay.

6 A. Well, you know, it's down for maintenance and that's when he
7 started talking about, you know, oh, I squawked it for this and we
8 started getting the conversation rolling and we actually found out
9 that he had squawked it for not creating full power.

10 Q. Okay. And did you verify that the squawk sheet was in the --
11 or not in the binder?

12 A. Yeah, so we didn't want to do it right away, but I live just
13 down the road, so me, Ally, and Rody actually went after hours,
14 around like 6:00, 6:30, 7:00, to just check and see if it was in
15 there.

16 Q. And what day was that, the 14th?

17 A. The same day, yeah.

18 Q. Okay, the 14th.

19 A. The 14th, yeah, because we all kind of found out. I felt
20 Rody needed to know that because something like that's a big deal,
21 right, and if he was unable to actually see that squawk sheet and
22 fly, you know, that's another thing and --

23 Q. Okay.

24 A. -- because I know if he would've seen something like that he
25 probably wouldn't have flown that day. So we went back around

1 6:30, 7:00, I think, and went through kind of the whole flight
2 school to try and find it and couldn't find it. And our only idea
3 was maybe Greg had it with the maintenance logs in the maintenance
4 shop.

5 Q. Okay. Okay. All right. Let's see, I'll just go through my
6 notes here. Okay, so talk to me about -- you mentioned earlier
7 where you have a safety meeting. You've been here since October?

8 A. Yeah.

9 Q. Of last year?

10 A. Yeah.

11 Q. Okay. And you've had two safety meetings?

12 A. Two safety meetings, yeah.

13 Q. Okay. And so the safety meeting includes maintenance --

14 A. Yeah.

15 Q. -- issues? And what do you typically talk about?

16 A. You know, he'll talk to us about, you know, fuel injected,
17 how he wants them started, a lot of renters and students don't
18 flood, you know, the fuel-injected airplanes, trying to start, so
19 he'll give us tips on, you know, certain ways of starting or doing
20 things with the airplanes --

21 Q. Um-hum.

22 A. -- things that he's planning on taking care of like cosmetics
23 of the airplane, things like that.

24 Q. Okay. So how did you find out about how to use that, did he
25 explain that at all?

1 A. How to use --

2 Q. The squawk sheets or your others, your teacher taught you
3 that?

4 A. Yeah, you know, I can't remember exactly where I learned, I
5 know, because I did my training at Aspen, when we'd squawk stuff,
6 we would just squawk it on the dispatch sheet.

7 Q. Right.

8 A. But when I got to Rocky Mountain they had these and I -- it's
9 probably because my instructor said hey, you know -- you know, you
10 didn't want to fly because of this, we'll show you where the
11 squawk sheets are, how to get a squawk sheet --

12 Q. Okay.

13 A. -- and fill it out.

14 Q. Does Greg ever tell you what happens to the squawk sheets?

15 A. No.

16 Q. Does he talk about them at all?

17 A. He rarely talks to the CFIs, yeah.

18 Q. Okay. So who do you talk to about the squawk sheets, is that
19 -- other than yourselves, with the -- you know, the --

20 A. Yeah, you know, we'll typically tell the managers okay, we
21 squawked this, you know, and they'll say okay, I'll let Greg know.

22 Q. Okay.

23 A. Especially if it's like immediate, they'll be like okay,
24 we'll call Greg and -- Greg and get him over here to check it out.

25 Q. Okay.

1 A. That's as far as it goes, really.

2 Q. How many squawks do you generate, say, in a period of a week?

3 A. I think it -- it just depends. Sometimes I've seen the
4 little -- the little folder kind of packed with squawk sheets,
5 little things, lights, things like that. I couldn't put a number
6 exactly on it.

7 Q. Right.

8 A. A few a week, for sure.

9 Q. Okay, for you, personally.

10 A. Oh, personally?

11 Q. Yeah.

12 A. One or two --

13 Q. Okay.

14 A. -- at most.

15 Q. And do you normally not follow up with them?

16 A. I'll check in the -- you know, like I said, if it's a nav
17 light or it's a landing light I can always go out to the airplane
18 and preflight check.

19 Q. And check it, right. Okay.

20 A. If it's something like 52 Foxtrot, I'm not flying that plane
21 until I see that that squawk sheet is dealt with. So if it's
22 something where I think it affects the safety, I'm going to
23 double-check and make sure that it's taken care of before --

24 Q. Okay.

25 A. -- I actually go and try to fly it.

1 Q. Did you speak with me about a vacuum pump failure?

2 A. No.

3 Q. Okay, that was somebody else.

4 A. That was --

5 MR. ROBERTSON: I mean, that was -- okay. Okay. All right,
6 well, I don't think I have any more questions, then. Thank you, I
7 appreciate --

8 MR. WHITNEY: Yeah, of course.

9 MR. ROBERTSON: -- your time.

10 MR. WHITNEY: Of course.

11 BY MR. GALLO:

12 Q. I have some additional questions. If you checked that the
13 aircraft is grounded on a squawk sheet, how does -- is anything
14 placed in the aircraft saying the aircraft is grounded, because
15 the only way to know that airplane is grounded is by referencing
16 the squawk sheet, so if a renter comes in, who tells the renter
17 the aircraft is grounded?

18 A. Yeah, so that's actually a good question. The only way that
19 I've kind of seen it is dispatch will actually go in and remove
20 the flights or move the flights from that airplane to a different
21 airplane and then not allow people to schedule it, right, so they
22 kind of just either block it off for maintenance or they'll
23 actually just kind of, I guess, if you will, click and drag to
24 other airplanes that are available at that time.

25 Q. Is the dispatch person also the manager?

1 A. So we do have a dispatch lady, she's not a manager, but our
2 managers will help out and do dispatch, too, as well.

3 Q. And what's the dispatch person's name?

4 A. Courtney.

5 Q. Do you know her last name?

6 A. Peck, I believe.

7 Q. And then the managers that you discuss maintenance issues,
8 who are those?

9 A. So like I said, we don't really discuss too much of the
10 maintenance stuff, I just -- sometimes if it's something big that
11 needs to be fixed, I'll let Charlie or Kat know hey, I squawked
12 this and they'll typically say okay, I'll call Greg over here or
13 I'll let Greg know right away so that he can come check it out.
14 So that's typically how it goes.

15 Q. Are the aircraft in the fleet, are they operated where their
16 engines are past TB0?

17 A. I don't know. I don't believe so.

18 Q. Have you ever checked if they're past TB0?

19 A. So I've done maintenance checks for -- for check rides and
20 things like that, but I actually haven't looked into that too
21 much, to be honest with you.

22 MR. GALLO: And that's all the questions I have, do you have
23 any more, Harold?

24 MR. ROBERTSON: Yeah, just a follow up.

25 BY MR. ROBERTSON:

1 Q. So the desk person you also deal with is, you said
2 Courtney Peck?

3 A. Yeah, so she doesn't have like any experience in aviation,
4 she kind of just prints out the dispatches.

5 Q. She processes them, she --

6 A. Yeah.

7 Q. Okay.

8 A. Yeah, she doesn't really deal with any of the maintenance or
9 anything, she's just there to kind of help us with dispatching
10 sheets and things like that, so --

11 Q. Okay. But the other two, the manager was Charlie Krummel?

12 A. Charlie Krummel.

13 Q. And the assistant manager is Kat Boom?

14 A. Kat Boom.

15 Q. Okay. All right. Okay. Are you aware that once a pilot
16 fills out this to report a discrepancy, that becomes part of the
17 permanent aircraft record?

18 A. Yeah.

19 MR. ROBERTSON: Okay. All right. That's all my questions.

20 MR. GALLO: I don't have any questions. We usually end it
21 off with do you have any other -- anything that you want to tell
22 us that we haven't covered?

23 MR. WHITNEY: No, I don't believe so. I mean, you're
24 probably on the same page as me, it's kind of interesting how a
25 squawk sheet can go missing, right. I don't know.

1 MR. ROBERTSON: Right. Okay.

2 MR. GALLO: Well, this concludes the interview, then. All
3 right, thank you.

4 MR. ROBERTSON: Thank you for your time.

5 MR. WHITNEY: Yeah, of course.

6 (Whereupon, the interview concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: CESSNA 172N ACCIDENT NEAR
 BROOMFIELD, COLORADO
 ON JULY 30, 2022
 Interview of Andrew Whitney

ACCIDENT NO.: CEN22LA362

PLACE: Broomfield, CO

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.

[REDACTED]

Karen D. Martini
Transcriber